

# CHAPTER 4: PUBLIC PARTICIPATION, COMMENTS AND RESPONSES, LIST OF PREPARERS, AND DISTRIBUTION LIST

## SUMMARY OF PUBLIC INVOLVEMENT

This section provides information on the public involvement activities that occurred during the preparation of this

final environmental impact statement and proposed plan amendment (FEIS), as well as public comments received on the draft EIS and plan amendment (DEIS) and the agencies' response to those comments. The following table presents the chronology of public involvement leading up to the FEIS.

<i>Date</i>	<i>Public Involvement</i>
December 1998	An initial news release was issued to inform the public of the project.
January 22, 1999	The Notice of Intent was published in the Federal Register.
February 1999	Nearly 14,000 informational letters were sent to a combined Forest Service (FS) and Bureau of Land Management (BLM) mailing list.
February 1999	News releases on the project were sent to newspapers throughout the analysis area.
February/March 1999	35 open houses and briefings were held throughout the analysis area.
March 1999	A news release on the extension of the public scoping period to May 31, 1999 was sent to newspapers throughout the analysis area.
May 1999	A news release was issued to remind the public about the extension of the comment period and that comments are most useful if received by May 31, 1999.
May 31, 1999	The end of public scoping comment period.
August 1999	Nearly 4,500 informational newsletters were sent to a mailing list of all interested parties, agencies, organizations, and individuals.
August 1999	A news release on the summary of public scoping comments was sent to newspapers throughout the analysis area.
October 1999	A news release was issued to explain a delay in the release of the DEIS.
November 1999	The Off-Highway Vehicle DEIS was released for public review and comment.
November 15, 1999	The Notice of Availability of the DEIS was published in the Federal Register.
November 1999	A news release was issued announcing the availability of the DEIS and the dates, times and locations of 35 open houses.
November/February 2000	The comment period on the DEIS.
November/January 2000	Local BLM and FS offices issued new releases locally prior to the open houses in their area.
November/January 2000	35 open houses were held throughout the analysis area.
February 2000	In early February, the agencies issued a news release to remind people the comment period on the DEIS would end on February 24, 2000.
February 24, 2000	End of the public comment period.
March 31, 2000	A news release was issued about the end of the comment period and release of the FEIS scheduled for December 2000.
July 2000	A newsletter summarizing the comments received during the comment period on the DEIS was sent to approximately 7,100 interested parties, agencies, organizations and individuals.

## SCOPING AND PUBLIC COMMENTS PRIOR TO THE DEIS

A Notice of Intent, formally announcing the beginning of the planning process, was published in the Federal Register on January 22, 1999. Nearly 14,000 scoping letters were mailed to the public based on a combined FS and BLM mailing list. The comment period, which was originally scheduled to end on March 31, 1999, was extended to May 31, 1999 in response to a request from Congressman Rick Hill and the agencies' commitment to an adequate public scoping period. During that time, the agencies conducted 35 open houses, which were attended by approximately 1,400 people.

During the scoping period, the agencies received nearly 3,400 letters. These public comments, along with issues identified by the agencies, were used to determine the scope of the analysis to be undertaken for the EIS and to develop alternatives to the proposal.

## SUMMARY OF PUBLIC COMMENTS ON THE DEIS

The DEIS was released for public review and comment in November 1999. The 90-day comment period on the DEIS ended February 24, 2000. Over 1,500 people attended 35 open houses that were held around Montana, North Dakota and South Dakota. During this time period, 2,309 letters were received. These included comments from the open houses, individual letters, form letters, organizational letters, postcards, petitions, phone conversations, and e-mails sent to the BLM Internet web page.

**Demographics:** Comments on the DEIS were national in scope coming from 31 states and the District of Columbia. The majority of the comments were from Montana with the next highest from South Dakota.

Of the 2,309 letters received, comments came from: individuals (2,114), organizations (101), businesses (68), federal agencies (5), state government (5), county government (9), city government (1), tribal government (1), schools (3), a branch of the military (1), and a congressman (1).

**Content Analysis Process (how comments are handled):** As a joint BLM and FS project, all comments were read by both BLM and FS employees. Substantive and nonsubstantive comments were identified and assigned a code. Another group of employees did a second read on the comments to verify first reader coding. Substantive comments are those that address the adequacy of the EIS, or the

merits of the alternatives, or both. Comments that simply express support or opposition to one or more of the alternatives, or state an opinion, are considered nonsubstantive and are not responded to in the FEIS.

Some information in the DEIS was corrected or clarified based on public comments that contained many useful recommendations for improving and updating the DEIS. In addition, information and recommendations provided by the Interdisciplinary (ID) Team were considered and incorporated into the FEIS. Responses to substantive public comments have been developed by the ID Team and are found later in this Chapter.

Some commenters wrote their letters as a vote for one alternative or another. The agencies' request for public comment was not designed to be a voting process, but a way to review the adequacy of analysis methods and determine: if there are factual errors; whether new alternatives, effects or mitigation measures should be considered; whether there are substantive disagreements over the determination of significant effects. Although only substantive comments are responded to in the FEIS, other comments are important to the decision-makers because they provide information on the opinions and preferences of those who have taken the time to comment. Following is a summary of the public comments on the DEIS by subject area.

**Summary:** In general, the issues identified in the content analysis process for the DEIS were similar to those identified during the scoping process. Most people felt that the issue of OHV use on public lands needed to be addressed. However, from that point on, there was little agreement on how OHV's should be managed.

Although the public comment process is not a voting exercise, certain opinions were common in the letters and e-mails. Comments such as does not solve OHV problem; legalizes user-made roads and trails; covers too large an area; not a full range of alternatives; alternative like the Montana State Lands Policy; closed unless posted open; none of the alternatives are acceptable; no action needed; travel on designated routes only; and various wording of the same ideas were recurrent in the 2,309 letters.

**Planning:** Comments received on the planning and National Environmental Policy Act (NEPA) process of the DEIS primarily focused on these subjects: range of alternatives; management compliance with Executive Orders (EO's) 11644 (1972) and 11989 (1977) and the associated Code of Federal Regulations (CFR); size of the area addressed in the DEIS; recognition and or sanctioning of user-created roads and trails; reduction or closure of access to public lands; plan accommodation and promotion of OHV use; necessity of the DEIS; time length for site-specific

planning; possible increase of user-created trails; local input and control of the site-specific process; lack of an alternative that mirrors the Montana State Lands Policy or the Lolo National Forest Plan; pre-determined decision; lack of data presented in the DEIS to support the alternatives; OHV use in roadless areas; and concern about effects on individual resource components such as wildlife, vegetation, soils, etc.

Some organizations and individuals who submitted comments generally supported the need for a plan, but not necessarily the alternatives presented in the plan. Some commenters felt the evidence presented in the DEIS did not support selection of the preferred alternative.

**Alternatives:** Comments about the alternatives ranged from the need for a more restrictive alternative to including fewer restrictions or that existing regulations were adequate. Some people wanted a more restrictive alternative, such as the Montana State Lands Policy or a Designated Routes alternative. These commenters were concerned that the existing alternatives did not go far enough and would legalize all user-created roads and trails. In addition, many of these commenters did not think any of the alternatives would reduce impacts associated with OHV use.

Other commenters stated that the existing regulations were adequate or were already too restrictive. They felt that identified problems would be better handled on a case-by-case basis rather than a broad closure. Others also commented that the agencies have already imposed too many closures and they were opposed to any more. In general, these latter comments supported the No Action alternative. A number of form letters represented these differing viewpoints.

Some thought the preferred alternative was reasonable or preferred one of the other alternatives. Some commenters mixed and matched portions of the alternatives to develop new alternatives. In general, these commenters changed around the exceptions, such as camping or game retrieval. Some people commented that they preferred one of the alternatives not considered in detail, such as “closed unless posted open” or to include snowmobiles.

**Implementation:** The primary concerns expressed on implementation of the DEIS centered around enforcement, education, site-specific planning and, to a small degree, the subject of signing. The subject of enforcement was a common implementation issue. Some people felt that there were enough regulations in place and the agencies simply needed to enforce the regulations. Others felt the alternatives were unenforceable because the definitions were too vague.

Another common concern was education. Commenters on this issue felt that for any plan to be successful, education about preventing resource damage or about the potential impacts of OHV use was a necessary component.

On the subject of site-specific planning, commenters were generally in favor of local control by the respective agencies with input from the local public, the feeling being that local agency personnel and the publics knew the resources best. Some commenters expressed concern about the time frame for site-specific planning.

**Roads and Trails:** Although a number of general comments were expressed, most of the comments on roads and trails were in two categories: the definition of cross-country travel in the DEIS and the topic of user-created roads and trails. Some people commented that the definition was too vague and would be very difficult to enforce. Others were pleased that under the definition, the historic and user-created trails would not be closed.

Closely related to the definition was the topic of user-created roads and trails. Commenters on this topic were generally opposed to continued use on user-created roads and trails. They believe that these roads and trails were created illegally and that by not closing them, the agencies were sanctioning their use and making them legal.

**Social:** People who expressed themselves on the social aspects of the DEIS were sharply divided on management of OHV's on public lands, and while some of the concerns they expressed had common themes, such as the emphasis on the land being “public” and the issue of user conflicts, most issues were unique to individual groups.

Primary sentiments expressed by some people were resentment over perceived loss of personal freedom; shrinking opportunity to ride their vehicles; the perception that outside environmental interests were controlling the EIS process; changes from “the way things used to be;” a feeling that the agencies no longer managed for multiple use; and the perception that their activities were being targeted by agencies and environmental groups.

In contrast, opposing commenters stated that they highly valued natural resources for a variety of reasons and expressed concerns about damage to vegetation and wildlife and the desire to have areas where they were not impacted by the visual or noise effects of OHV's. There was also the perception that the OHV industry had a strong influence on the content of the DEIS and that justification for the exceptions presented in the alternatives was weak and the argument by OHV users that they were being locked out was not justified.

**Recreation:** Comments on recreation dealt with the topics of hunting/game retrieval, camping, user conflicts, disabled/aging, and access.

For hunting, commenters felt that motorized vehicle use compromised quality hunting experiences. They felt that using OHV's led to unethical hunting practices and scared game away. On the other hand, some people felt that the use of OHV's allowed them access to remote areas that would be inaccessible without outfitter guides or motorized vehicles. Comments on game retrieval were divided between those who supported an exception for game retrieval and those who did not.

There was a range of comments on exceptions allowed for camping. Some commented that 300 feet was too wide, excessive, and could lead to abuse and enforcement problems. Others commented that exceptions for camping were unnecessary because there were numerous developed campgrounds people could access by road. There were some who thought the exceptions for camping were reasonable and even a few who felt that 300 feet was not far enough.

On the topic of persons with disabilities and the aging, comments focused on the need to provide access for the disabled and aging, and that the project, in general, was limiting access and was unfair to the disabled and aging. On the other hand, some commenters felt that compromising resource values to provide access to everyone everywhere was not acceptable and that BLM and National Forest System (NFS) lands have many miles of roads and trails available for motorized use.

In relation to the topic of user conflicts, some felt that since the majority of recreationists preferred quiet types of recreation, OHV use should be severely limited to reduce user conflicts. Others commented that nonmotorized users had ample areas to recreate where motorized use was not allowed (i.e. wilderness areas). They also commented that motorized users were always the ones having their activity limited. Some commented that the DEIS was biased in favor of nonmotorized users because many areas were already closed to motorized use and to compensate for this inadequacy the BLM and FS should set aside areas for motorized users.

On comments related to access, some dealt with general rights to access public lands. Others related to isolated tracts of public lands with no legal access to them. Some commented that access should be fair to all and that ranchers/permittees should not have special rights.

**Wilderness Study/Roadless Areas:** Comments on Wilderness Study/Roadless areas were fairly numerous but covered a narrow range of concerns. The main comments

were the DEIS offers no protection for roadless areas; allows no motorized use in roadless areas; we don't need any more wilderness. There were also a few comments like allow no motorized use in wilderness and we need to preserve what roadless areas are left.

**Economics:** There were comments that the Economics section did not consider the economic contributions of nonmotorized recreation, the economic benefit of "wild" areas, and the costs associated with motorized recreation. On the other hand, some commenters felt that the agencies were further crippling local economies by restricting OHV use. Some people felt that conducting an economic analysis of the OHV industry was inappropriate because they felt that the agencies should analyze effects to natural resources and not to a single industry. Others commented that OHV users paid for their activity and that their activity generated money while hikers did not pay for their activity and did not generate much money for the local economy.

**Wildlife:** Concerns expressed by commenters on the subject of wildlife centered around degradation and fragmentation of wildlife habitat and potential impacts the alternatives presented in the DEIS would have on wildlife.

Some people felt that there was no evidence presented in the DEIS that justified restricting their activities. Commenters cited personal experiences where their activity had not disturbed animals. Others felt that OHV's disrupted wildlife activities, fragmented and degraded habitat, and reduced security. Commenters called for management actions ranging from supporting the preferred alternative to restricting OHV's to designated roads only.

**Soils:** The comments on soils were all related to erosion. Some people felt that OHV's tear up the land and cause serious erosion problems, while others commented that horses and cattle create more erosion problems than OHV's.

**Vegetation:** Most of the comments on vegetation related to noxious weeds. There were basically two sides on this issue. Some people commented that there was ample evidence that vehicles were the worst avenues for spreading noxious weeds. They thought that the agencies should aggressively restrict OHV use to slow the spread of weeds. On the other side of this topic, many people commented that motorized users were being blamed for a problem that was actually caused by numerous other factors.

**Aquatics:** There were comments on riparian areas, wet meadows, and fisheries. In general, commenters felt that streams and meadows were fragile ecosystems and should be protected by prohibiting motorized travel. Some people commented that horses and cows created a lot of erosion and subsequent sediment and that this entire topic was just an excuse to restrict motorized travel.

**Cultural:** The comments on cultural resources ranged from providing greater detail on tribal history to the importance of historic wagon trails to impacts to cultural resources and culturally important plant communities. Some people commented that they did not think cultural resources were being impacted by OHV use while others favored protection of cultural resources.

**Commercial Activities:** Comments on commercial activities were mostly limited to grazing leases and utility gas and oil leases.

## **RESPONSES TO PUBLIC COMMENTS**

Two lists are provided on the following pages. The first alphabetically lists the agencies, organizations, businesses, and persons who submitted comments on the DEIS and the assigned comment code. The second is an index of comment codes assigned to 16 subject categories.

## LIST OF COMMENTERS/CODES

<i>Name</i>	<i>Comment Code</i>
Abel, Stuart	B21
Adams, John	A26, A27, B21, B22, C14, C30, E1, H8, P5
Ahrens, Craig	B19
Aitken, Gary	C9
Albertson, Joyce	B21
Albertus, Michael	A9, A31, B23, C24, J6
Albus, Eric	B11, C14, C22
Alder, John	A26, B20, B21
Alexander, Rick	B11
Alliance for the Wild Rockies	A5, A10, A11, A12, A26, A27, A35, B19, B20, B21, B22, B23, C14, C16, C17, J3, K1, P12
Almgren, Ted	A9, A13, A34, B11, C19
Almquist, Marty	A5, A26, B7, B21
American Lands Access Assn.	A37, B23, P10
American Wildlands	A26, K10
Amundson, Dan	A27
Anderberg, Jerry	B11
Anderson, Carl	B11
Anderson, David	D1
Anderson, Ken	A9, A31, B23, C24, J6
Anderson, Maury and Hanson, Pat	B19, F2
Anderson, Sarah	A26, P12
Angermeyr, Anne	B21
Anthony-Aven, Diana	A26, B19
Antonich, Matt and Moen, Phil	P3
Arbetan, Paul	A27, B19
Arguimbau, Ellie	B19
Armstrong, Jeffery	A9, A31, B23, C24, J6
Arnold, Thor	B19
Artley, Richard	P14
Ashmore, J.	A26, B21
Ashwood, Lester	B20, C10, L1, P10
Austin, Alice	A26, D1

<i>Name</i>	<i>Comment Code</i>
Back Country Horsemen of Missoula	B37, D5, D13, P12
Back Country Horsemen, Bitter Root Chapter	B21
Baehr, Matt	P14
Bain, Larry	A9
Balasky, Cathy	A26
Baldwin, Gary	A9, A31, B23, C24, J6
Bameister, Jan	D1
Banks, Anne	A27, B21
Barcus, Martin	B22
Barker, Georgia	B21, P9
Barnard, Larry	P14
Barrett, Heidi	A26, B19
Barry, Steve	B19
Bartlett, John and Joanne	A9, A31, B23, C24, J6
Beach, Anita	P10
Beard-Tittone, Kelly	D1
Beardsley, Leita	A34
Beardsley, Wendell	A26, B21
Becerra, Tracy	A26, A57, B25, D5, E1, P12
Bedey, Robert	A9
Behan, Mark	A57, B19, D13
Beischel, Linda	A26, B19
Bennett, David	P10, P14
Benowitz, Scott	A26
Berg, Paul	B19
Birmingham, John	B21
Bertino, Philip	A9, A31, B23, C24, J6
Bertsche, Jon and Anne	P10
Bey, Ronald	A9, A31, B23, C24, J6
Biehl, Daniel	A26, B20
Bielenberg, Donald	A9, A31, B23, C24, J6
Big Sky Trail Riders	B23, G2
Big Sky Country Trail Preservers	A11, A49, A50, A61, B15, C3, C21, C26, H1, H10, H11, J2, K2, K3, K14, L4, M4, N2
Big Sky Upland Bird Assn.	A26, B19, D1

<i>Name</i>	<i>Comment Code</i>
Billings Rod & Gun Club	A9, B11, B23, C2, D7, P12
Billingsley, Mary	F4, F6, H6, P4
Bilodeau, Aaron	B21
Birck, Bill and Kim	B23
Bischke, Scott	A28, B19, B21, C30, E1
Bishop, Norman	A26, B40
Bitterroot/Grizzly Motorcycle Alliance	A3, A26, A34, A38, A46, A56, B11, B31, B42, C8, C9, C20, D1, D5, D10, D15, H1, H2, H7, I1, J2, J5, J9, J10, K2, K4, L3, L4, N3, P9, P10
Black Butte Ranch	B21
Black Hills Regional	
Multiple Use Coalition	A1, A34, G6, I1, N1
Blackfoot Valley Dispatch	H1
Blackler, Edd	B19, P14
Blair, Susan	A26
Bleecker, W.G. and Pat	B22
Blevins, Auzie	C7, P7
Blevins, Sally	A26, B19, B21, C9, D5, E1, P12
Blomquist, Dan	A9
Blomquist, Terrie	J2
Blue Ribbon Coalition	A3, A9, A13, C23
Blue Ribbon Flies	P9
Bluemel, Heidi	B19, B20, P12
Boka, Mike	P9
Boland, Will	A28
Bonnett, Charles	P14
Booker, Karen	A26
Borchgrevink Livestock	F4, F6, H6, P4
Borowski, James	A26
Botkin, Steve	A9, A31, B23, C24, J6
Boule, Richard and Sandy	A9, A31, B23, C24, J6
Bourdage, Daniel	A3, A9
Boyd, Diane	B19, B21, K2
Bradbury, L.S.	B19
Brady, Robb, Robert & Pat	B11, B20, C14
Brandborg, Stewart	B19

<i>Name</i>	<i>Comment Code</i>
Brandt, Kathy	A9, A31, B23, C24, J6
Brass, Helen and John	B21
Braun, Tom	B11, B20, C9, P14
Brence, Paul	F4, F6, H6, P4
Brennan, Chris and	B11
Brist, Stephanie	A9, A31, B23, C24, J6
Broberg, Len	A26
Brooks, Adam	J1
Brooks, Richard	I1, P14
Brown, Edward	A17, D1, P14
Bruce, Henry	A9, A31, B23, C24, J6
Bucklin Sanchez, Karen	A27, B23
Buehler, Charles	B11
Bullis, Roddy	A28
Burke, Polly	B21, P14
Burns, Donald	A9, A31, B23, C24, J6
Burton, Tim	P14
Buttgen, Brooke	A26, B21, B24
Byrum, Robert	A26, K1, P9
C & B Grazing District	B33, F6
Caldwell, Steve	B21
Callan, Arthur	B21
Cameron-Russell, Sally	B21
Campbell, Cate	A26, B21, E1, P12
Cannon, Diane	A26
Cardin, William	A26
Carlson, Edith	D12, P12
Carlstrom, Mark	P9
Carpenter, Ami	B19
Carroll, James	F4, F6, H6, P4
Carroll, Pat	B22, D1, P4, P14
Carroll, Philip	A9, A31, B23, C24, J6
Carroll, Tom	B19
Carson, Curtis	A9
Carter Co. Sheep & Cattle Growers Assn.	F4, F6, H6, P4
Cartwright, Joseph	A9, A31, B23, C24, J6
Caruso-Hirst, Donna	P12, P14
Cecil, George	A26, B19
Center, Dean	P14
Cesnik, Robert	A31, B23, C24, J6

<i>Name</i>	<i>Comment Code</i>
Chain of Lakes Homeowners' Assn.	A1
Chamberlin, Wayne	P7
Chandler, Nyla	E1
Chansler, John	F2
Chebul, John	B19, J1
Christensen, Dave & Connie	A24, C8
Christensen, Lois & Robert	G2, P8, P9
Christianson, Carmen	B21
Clark, Bob	B19, E1
Clark, Carl	A26
Clark, Eileen	A2, A70
Clark Fork Ranch	C9, P14
Clark, Herbert	A2, J2
Clearman, Richard	J6
Cleveland, Gary	B19
Cochrane, Stephanie	B21
Cockshott, Shiela	B20
Colavito, Dave	B21, B22
Cole, Bob	B11
Cole, Constance	A26, B21
Cole, David	A26, B21
Cole, Rod	F2, F5, H6, H12
Coles, Kirk	A9, A31, B23, C24, J6
Collie, Alex, Lois and Alex Jr.	F4, F6, H6, P4
Colorado Wild Inc.	B21, B22
Colucci, Vince	P14
Colvin, John	J2
Concerned Friends of the Winema	C5
Confederated Salish and Kootenai Tribes	B20, I2, I3, J4, P2
Congressman Rick Hill	A13, A14
Continental Divide Trail Society	A33
Cook, Eugene & Whitney, Rene	A9
Cooper, Pam	A9, A31, B23, C24, J6
Cooperstein, Jim and Janice	A26, B19

<i>Name</i>	<i>Comment Code</i>
Cook, Kenneth and Peggy	B19
Copenhaver, Terry	P14
Corrigan, Charles	A26, P12
Corrigan, Elaine	B19
Cotton, Gary Sandee Joshua & Jeremy	A3, C9, P14
Cotton, Jeremy	G2
Counsell, Merlyn	A9, A31, B23, C24, J6
Courter, Carrie	P14
Cox, Ellen and John	A61, B19
Cox, Kevin	E1
Cramer, Marta	A26
Cross, James	B19, F1
Crymble, Kenneth	A17
Cullen, Eric	A9, P14
Culver, Charles	P14
Culver, Franklin	A26, B19, B20, B21, C6, F8
Culver, Pat	P14
Culver, Patsy	A26
Cunningham, Bill	A26, C14
Curran, Edmund	A62, D1, D5
Curtis, James	B24, H7, H8, H9
Cushman, Susan	A26
Daggett, John	A26, D1
Dakotas Resource Advisory Council	B11
Dale, Paul	A9
Danesh, Eleanor	C14, H8, P9, P12
Davidson, Karen	B19
Davis, Maxon	A26
Dean, LeRoy	F4, F6, H6, J2, K5, P4
DeGunia, DeLois	A9
DeGunia, John	B23
Demarest, Roberta	J6, P9
Denison, James	B11
DeShazer, Robert	A20
Deveny, Tom	B22
Devitt, Kim	D1, K10
Dickerson, Patricia	D1



<i>Name</i>	<i>Comment Code</i>
Dillon, City of (George Warner, Mayor)	A9
Divoky, Terry and Dennis	D5, J1, P14
Dixon, Mark & Scheverman, Katrina	P14
Dockter, Chely	B19
Dockter, Merle	B19
Doffing, Gerald	A9
Dolan, Larry & Ritten, Karla	A61, D6
Dolechek, Keever	H1, P10
Donahey, David	F2
Double-D Ranch	F2, F5, H6, H12
Downey, Mary Jo	A9, A31, B23, C24, J6
Downey, Ron	A9, A31, B23, C24, J6
Drabenstott, Leean	B19, P14
Dresch, Leighton	B21
Drury, William	A55, P14
Dunbar, Cal and Jan	B21
Dutton, Kelly	A9, A31, B23, C24, J6
Earl, Russ	P14
Earth Justice Legal Defense Fund	A21, B21, B24, B29
East Pioneer Experimental Stewardship Program	A36, B11, B21, D8, D9, E3, F2, J5, P9, P14
Ecology Center, Inc.	A26, B24, P14, P3
Edwards, George	A2, C9
Edwards, Paul	A26, B21
Edwards, Rhonda	C9
Egger, Kevin	A9, A31, B23, C24, J6
Egger, Shirley	A9, A31, B23, C24, J6
Ehinger, William	P14
Ehresmann, Les	M1
Elliott, Joe	B22, B25, D5, J7
Ellis, Steve	B19, C20
Ellison, Linda	B3, B8, B11, C9, C20, C27, D6, H7, J2, L3, P6, P10, P12
Elser, Smoke	B19
Emerson, Jason	A9, A31, B23, C24, J6
Enderes, Kent	A26

<i>Name</i>	<i>Comment Code</i>
Emerson, James	P14
Engelhardt, Doug	P9
Engelstad, Louise and Mark	B11
Engler, Mark	B21
Erdie, Thomas and Irene	B41, P8
Esbjornson, Carl	A26
Essen, Marty	A26
Evanoff, Seth	A1, P8
Everett, George	A9, A31, B23, C24, J6
Ewald, Forest	B23, P9
F.H. Stoltze Land & Lumber Co.	A13, C2, H1, H8, J2, J6, P9, P10
Fanelli, Dino	B21, P14
Fauth, Gideon	A9, A31, B23, C24, J6
Fay, Tim	D5
Feather, Karen and DeSanto, Jerry	D1
Fedro, Kris	A26
Fee, Helen	A17
Feickert, Tracey	B19
Feistiver, Lester	P14
Felbeck, David	A1, B11, D4, P8
Fence Creek Ranch	C14, C17
Fenster, Larry	A9, A31, B23, C24, J6
Fenster, Les	A9, A31, B23, C24, J6
Ferrell, Doug and Mindy	B21
Feyhl, Ken	A9
Fields, Edwin	B21
Fingerson, DuWayne	P9
Fischer, Doris and Gotshalk, Richard	B20
Fisher, Carol	A9, B23, C24, J6
Fisher, Jim	B19
Fitzmaurice, Mary Peg	B21
Five Valleys Audubon Society	B34, D13, P3, P14
Fleming, John	A9, A31, B23, C24, J6
Fogland Ranch Co.	F2, F5, H6, H12
Fontana, John	A25, B19

<i>Name</i>	<i>Comment Code</i>
Floyd, Bruce and Samantha	F2
Forbes, Betsey	B21
Ford, Michael	A26
Forehand, Dick	A26, B21
Forty Bar Ranch	F2, F5, H6, H12
Foster, Brian	A40
Fowler, Ray	B21, P14
Frazier, Georgia	B21
Fredericksen, Richard	I1, K1
Fredlund, Dale	A26
Friends of the Bitterroot	A25, A26, A27, B19, P3, P9
Fries, Jerry	B21
Fry, Dan	P8
Fuglestad, Paul	A32, H3, P14
Garde, Anne	B19, B21, D11
Gehman, Steven	B19
Gehrken, Greg	A9, A31, B23, C24, J6
Geiger, Connie	B21
Gerrard, Doyle	A26
Gibson, Katie	B4, B21
Gillespie, Harla	A26, P14
Gniadek, Steve	B21
Grady, Mike	P14
Graesser, Alfred	B21, P12
Granite County Commissioners	B11, P3
Gray, Randall	B21
Great Falls Trail Bike Riders Assn.	B21
Greater Yellowstone Coalition	A19, B20, B21, C25, K1, K7, K9, P12
Green, D. Arthur	A45, B23
Green, Merle	A26
Green, Rial	A9, A31, B23, C24, J6
Greenlee, Larry	F4, F6, H6, P4
Greiner, Wm.	B21
Griffin, Paul	B19
Grove, Eric	B21, C14
Grove, Chris and Sara	A26, B36

<i>Name</i>	<i>Comment Code</i>
Gunderson, Kari and Flood, Joseph	A26, B19
Gupton, Elizabeth	A26
Gutkoski, Joe	A26, B21
Guynn, Peter	A26
Haas, Fred	A9, A31, B23, C24, J6
Hagenbarth Livestock	F2, F5, H6, H12, P14
Hahr, Meg	A26, B21
Hain, Ron	A9, A31, B23, C24, J6
Haivala, Harry	P9
Hale, Alisa	B11
Halko, Martin	B11, C14
Hallmark Ventures	B21
Hamilton, Martin	B19
Hammel, Fred	A31, A68, A70, B23, C24, J6
Hammock, Dayle	A35, P10
Hanna, David	D1
Hansen, James	P10
Harding, Thomas	B19
Harper, Archie	A26, A62, B2, B19, C13, P10
Harper, John	A26
Harris, Arlene	B21
Hart, Mortimer	B11
Hartman, Rick	B21
Hartsig, Andrew	A26, P14
Harvey, Sharon	D1
Havlick, David	A26, B22, G10, M5
Hayden, Larry	A27, B11, C14, D1
Hazelbaker, Nick	A27
Hazlewood, Rob	C14
Hedlund, Richard	B19
Hedrick, Patricia	B21
Heffern, Jacquie	B21
Heffern, Roy	A26, B11
Heidel, Bonnie	A26, B19
Helgath, Randy and Diane	A9
Helms, Candi	A27, I5
Hendricks, Steve	B19
Henning, Grant	H1, J6

<i>Name</i>	<i>Comment Code</i>
Herring, Hal	B19
Hendricks, Jennifer	B19
Hewel, Keith	A26
Hewitt, Kirk	P14
Hiaring, Robert	P14
Hildreth, Ed	B12
Hill, Beth	A28
Hilsendeger, Bill	A31, A32
Hinkle, Jack	A9, A31, B23, C24, F2, J6
Hoard, Mark	P9
Hobbs, Ron	A9, A31, B23, C24, J6
Hodgeboom, Fred	A1, A20, A26, A31, A42, A64, J2, J8
Hoefert, Ken	A8, H12
Hofer, Marvin	A18, A25, A26, A29, A39, A48, B20, E1
Holifield, Jenny and Wegner, Steve	B19, C9, J3
Holly, Douglas	B19
Holman, Jeff	A9, P7
Holmes, Tim and Crase, Claudia	B19
Holoubek, Jet	B11, P9
Holst, Bobbie	B21
Holt, Ira	A26, C14
Holton, George	A26, B19, B21
Hopkins, Paul	A26
Horejsi, Charles	D1
Horgan, Christopher	A1, A9, C3, C23, L4, M3
Horton, Jane	B19
Houska, Greg	A9, C9, C28
Houston, Robin	B19
Hovin, Arne and Carol	A26
Howe, Duane	A26
Hoy, Robert	B22
Hudson, Ann	B19
Hudson, Hank	B19
Hudson, Russell	F2, F5, H6, H12
Huggett, LyRinda	B23
Huggett, MiChealla	A9
Hughes & Sons Cattle Co.	F2, F5, H6, H12

<i>Name</i>	<i>Comment Code</i>
Hunt, Ernest	A9, A31, B23, C24, J6
Hunt, Jenny	B21
Hunter, Phoebe	B19
Hunts, Stephen	B19
Huntsinger, Thomas	A9, A31, B23, C24, J6
Ibsen, Dirk	B32
Illi, Warren	B23
Immonen, Wilma	P9, P14
Iverson, Jerry	B21
Iverson, Linda	J3
Ivins, Natasha	P10
Jackson, Don	B19
Jackson, Elizabeth	B19
Jackson, Forrest	B19
Jackson Ranches	F2, F5, H6, H12
Jackson, Sue	B19
Jacobs, Connie	E1, P14
Janecke, Bill	A27, B21, L2, P14
Janke, Sherman	B19, D13, E1, P12
Jappe, Marge	A2, A67, A9, H1
Jasmer, Lynnette	A9, A31, B23, C24, J6
Jawbone Cattle Co. Inc.	F2, F5, H6, H12
Jereseck, Jon	B21
Joern, John	A9, B20, C8, C28, D2
Johns, Lelland	B1, B2
Johnson, Dick	B19
Johnson, Eugene	A26, B21, P12
Johnson, Gene	F2
Johnson, Mercedes	A26
Johnson, Scott	B21
Johnson, Shelley	A9, A31, B23, C24, J6
Johnston, Dave	A1
Jones, Cedron	B5, B19, B22, C3, C10, C31, D13, H6, H8, I4, P12
Jones, Dave	A26, B21
Jones, David	A61, P14
Jones, Harley	A9, A31, B23, C24, J6
Jones, Horace	P14
Jones, Jack	A9
Joslin, Gayle	A27, B19

<i>Name</i>	<i>Comment Code</i>
Jones, Howard	A9, P8
Julien, Duane	P14
Jungwitsch, Bruce	A9, A31, B23, C24, J6
Katsaris, Anne	A26, B19, P14
Keaveny, Theresa	B21
Keene, Douglas	A9, A31, B23, C24, J6
Kehr, James	A26
Keith, Jerry	F4, F6, H6, P4
Keith, Jim	F4, F6, H6, P4
Keith, Michelle	F4, F6, H6, P4
Keith Ranch Co.	F4, F6, H6, P4
Keller, Mark	J2
Kemppainen, Thomas	A9, A31, B23, C24, J6
Kendy, Eloise	C12
Kennedy, Kathleen	A26, B21
Kershner, Kenneth	A9, A31, B23, C24, J6
Kerstetter, Ted	E1
Ketterling, Kelly	P14
Kidder, Jo Ann	B21
Kiely, Joe	B21
Kikkert, Cheryl & Doug	B19
Kilmer, Tom	A26, B19
Kindt, Sandy	A26, B21
King, Emmett	A26
King, Michael	B21, P9, P14
Kirby, Bill	A9, A31, B23, C24, J7
Kirby, James	A9, A31, B23, C24, J6
Kleppen, Tim	D1, F2, P10, P14
Knight, James	A1, P9
Knoell, Roger	A63, D1, F8
Knudsen, Kathy	B21
Koehnke, Bill	B21
Korting, Marc	P14
Kraft, Betty	A9, A31, B23, C24, J6
Kreck, Loren	B19, P3
Kroon, Steve	P12
Kruer, Curtis and Stephanie	B19, B21
Kuchinsky, Steve	A9
Kuhl, Richard	B19, B21, D1

<i>Name</i>	<i>Comment Code</i>
Kuchinsky, Dan	B11
Kukuchka, Craig & Debbie	B23, F2, P12
Kuropat, Betty	B21, D5
Kusek, Jim	F2, F5, H6, H12
Lacklen, Marian	B21
Laknar, Larry	A9, C27, H1, P14
Lamb, Reed	A20
Lambert, Norman	C14, C15
Lambourn, Larry	F2, P14
Larsen, Lisa	B19
Larson, Mike	B11
Last Chance Back Country Horsemen	A26
Latterell, Fayette	B11
Lauver, Daniel	P14
Lawson, William and Mildred	A9, A31, B23, C24, J6
Lazy 7-Up Ranch Inc.	F2, F5, H6, H12
Lebar, Jean	B21
Leclerc, Dan	A9, A31, B23, C24, J6
Lee, Karole	B11
Lee, Kenneth	B23, P9
Lee, Richard	A26
Lefler, B.J.	P14
Lehmann, Gordon & Margaret	A26
Leibenguth, Guy	P9
Leimbach, Paul	A9
Leitch, Neil	A9
Lenard, Susan	B19
LeNoue, Brenda	A24, B23, P9
LeNoue, Kenny	B23
Leon, Paul	B22
Lewis & Clark County Commissioners	A4
Lewis and Clark Wildlife Club	B11
Liebelson, Michael	B19
Link, Carol	P9
Linn, Ed	P14

<i>Name</i>	<i>Comment Code</i>
Lind, James	P9
Lischer, Henry	B19
Liss, Jamie	B11
Liss, Ronald	B11
Liss, Stanley Jr.	B11
Listerud, Christine	A26
Litchfield, Dan	D1, P14
Lloyd, Kathy and Barton, Drake	A26, A27, B19
Lohof, Arlo	A26
Lohrenz, Holly	B19
Loomis, Jerry	B24
Lord, John	B21
Lovegrove, Bob	C20
Lowman, Ben and Jan	A13, C23, G5
M. F. Allerdings Ranch Inc.	F4, F6, H6, P4
Mackay, Al and Alice	F4, F6, H6, P4
Mackay Dean, Shelley	F4, F6, H6, P4
Mael, Ed	B11, C9, H1
Maher, James	A26, B19
Maier, Eileen	A9, A31, B23, C24, J6
Makich, Max	B21
Marble, George	P8
Marcel, Francine	B21
Martin, Craig	B21, P14
McBeal, Mary Helen	B23, E1
McCarthy, Charlie	B19, B21, D1
McCombs, Sue	A9, A31, B23, C24, J6
McCormick, Burke	F2
McDannel, Angela and Kuyper, Bruce	P14
McEvoy, Carol	B19
McEvoy, Lawrence	A26, B19, P14
McEvoy, Steve	A7
McIver, Rod	P14
McKinney, Charles	A9, A31
McNeal, F. H.	A26, B21
McNeill, Mike	A26
Meagher County Sportsmen Assn.	P12

<i>Name</i>	<i>Comment Code</i>
McNinch, Earl	C12, P10
Meek, Richard and Betty	A26, B19, K1
Mehling, Frank	F2, F5, H6, H12
Mehring, LeRoy	B11
Meis, Rick	A26, P12
Melton, James	P9
Merdinger, Sandy	B19
Meyer, Neil	A9, A31, B23, C24, J6
Mikkelson, Rick	H1
Mile High Backcountry Horsemen	P1, P14
Mileivski, Nancy	B21
Miletich, George	A9, A31, B23, C24, J6
Miller, Alice	B19
Miller, Charles	B22, E1, P9
Miller, Charles	A9
Miller, Doug	A27
Miller, Jerauld	A2
Miller, Patty	A9
Mills, Ron	B11
Minnesotans for Responsible Recreation	B19, B21, P14
Mission Valley Backcountry Horsemen	B21, C12, C14
Mocko, Gary	A9
Mohler, Justin and Berns, Jennifer	A26
Montagne, Joan	P14
Montana 4X4 Association, Inc.	A14, A26, A32, A44, A46, A47, B11, C4, D1, G8, G9, K12, K13
Montana Bowhunters Assn.	A5, A26, A65, B19, C14, F8, K1, P9, P14
Montana Fish, Wildlife and Parks (Lennie Buhmann)	B19, F9
Montana Fish, Wildlife and Parks (Pat Graham)	A59, B24, D1, H8, P3, P12
Montana Native Plant Society	A26, B19, B21, J1
Montana Nightriders Snowmobile Club	A9

<i>Name</i>	<i>Comment Code</i>
Montana River Action Network	B21
Montana Stockgrowers Assn.	B19, F2
Montana Trail Vehicle Riders Assn.	A13, A14, A44, B11, C1, C8, D1, D5, G4, G7, H1, H7, K11, P11
Montana Trails Association	A46, B11
Montana Wilderness Assn., Wild Divide Chapter	A26, B19, L3, P12, P14
Montana Wilderness Assn. (Don Mazzola)	A18, A26, B19
Montana Wilderness Assn. (Dennis Tighe)	A5, A23, A26, A29, A49, A57, B11, B19, B20, B21, B22, B38, C6, D5, E1, E2, E4, H7, H11, J3, K1, K2
Montana Wilderness Assn., Eastern Wildlands Chapter	A27, D5
Montana Wildlife Federation	A15, A26, B19, C6, E1, H7, J1, K1, L6, L7
Montana-Dakota Utilities Co.	B6
Montanans for Multiple Use, Jawbone Chapter	J6
Montanans for Multiple Use (Chuck Samuelson)	A42, A64, C24, J2, J8, K14
Moore, Mardell	B19, B21
Moore, Thomas and Tess	A26, B19, E1
Moorhouse, La Rue	A27
Moos, Ted	B21
Morgan, David	A26
Morgan, Rick	P8
Morgan, Robert	P9
Moriarty, Robert	B19
Morley, Anne and Greg	B21
Morris, Eleanor	B21
Morse, Diane	F2, F5, H6, H12
Morstein, Mona	A26, B19, E1

<i>Name</i>	<i>Comment Code</i>
Mortenson, Virgil	A13
Morton, Don	A9, A31, B23, C24, J6
Mrozinski, Diana and Richard	B19, P9
Mueller, Ronald	B21
Mullen, Norm	A26
Mumm, Rhonda	J2, P14
Munther, Greg	A26, A27, A65, B19, B21, C14, G3, J1, K6, L5, L6
Native Forest Network	A26, B19, E1
Nedom, Woody	A54
Nelson, Don	B22
Nelson, Larry	F2
Nemes, J.A. and Lois	B21
Neubauer, William	G1
Newman, Joe	J1
Noack, Kenneth	A9
Nordrum, John	A26, C14, P14
North Dakota Attorney General	A24
North Dakota Parks & Recreation Dept.	B11
North Dakota Game and Fish Dept.	A52, B1, B11, D3, F1, F3, H4, H5
North Dakota State Land Dept.	B9
North Fork Hostel and Cabins	A26, B19
Northwest Montana Gold Prospectors	A42, A46, A64, O1
Noyes, John L.	B21, D1
O'Connor, Jack	F4, F6, H6, P4
O'Hair, Andy	F2
O'Malley, Joe	A9, A31, B23, C24, J6
O'Neil, Eldon	P10
O'Neill, Mr. and Mrs.	A26
O'Reilly, Tracy	A26, P9
O'Siggins, Kathryn	P14
Obrecht, Sonny	J5
Olsen, Bob	F2, F5, H6, H12
Olson, Blendon	P9

<i>Name</i>	<i>Comment Code</i>
Olson, DeLisa	B23
Orion The Hunters Institute	A26, A66, B19, B40, C29, G3, H7
Orsello, Bill	A26, B11
Oset, Bob	A26
Outdoor Motor Sports	P14
Owen, David and Kathryn	B21
Owen, David	C9, D5
Owens, Nancy	A27, D5, P14
Palmer, Del	B20
Pankratz, Bill	H1
Parke, Terry	B39
Parks, Charles	A9, A31, B23, C24, J6
Parr-Campbell, Lori	A26, B19
Parwana, Noorjahan	P14
Pauli, David	A26, B21
Paulsen, Jim	B22
Peck, Brian	A26, K7
Peck, Sandra	F2, F5, H6, H12
Peet, Duffy	A26, B21
Peik, Randy	B19
Pence, Dan & Lois	A26, B22, C14, C17, P9, P14
Permann, Marian	P14
Perryman, Toddy and Leonard, Patrick	A27
Peterman, Rebecca	A26, A43, B20, B21
Peters, John	A26
Peters, Steve	B11
Petersen, Stanley and Dorothy	B19
Petition submitted by Janine Price	A1
Phelps, John	A26
Philips, Karen	A26, B23
Phinney, Duane	B21
Phipps, Jon	B19
Pitblado, Nancy	D5
Pitkin, Fred	P14
Poehls, Doug	P14
Poon, Pam	B21, P14

<i>Name</i>	<i>Comment Code</i>
Plantenberg, Patrick	B19
Porter, Leroy	P3
Porter, William	A9, D4
Potter, Jack	A69, B19, P12
Predator Conservation Alliance	A21, A22, A26, A58, B24, B27, B28, B29, P14
Pressmar, Judith	A26
Pries, Bill	D14
Prinzing, Kris	B11
Prinzing, Scott	A26
Prinzing, Steve	B11, D1
Producers, Richard and Jeanette	A26, P14
Public Land Access Assn. (Tony Schoonen, Sec-Treas)	A5, B23, C4, C14
Public Land Access Assn (John Gibson, President)	B10
Quinn, Roseann	A9, A31, B23, C24, J6
Radovich, Nicholas	B11
Raiman, Mike	D1
Ranger, Michael	A26, B19, F2, P3
Rasch, Tony	B12, H7, H8, P12, P14
Rawson, Dan	A9
Read, Jennifer	B19
Red Butte Grazing District	F4, F6, H6, P4
Red Butte Cattle Co.	F4, F6, H6, P4
Regnerus, Shawn	B19
Regnier, Linda	B19
Reid, Samuel	B21
Reiter, John	A26
Rhodes, McGregor	P10
Rhodes, Will	A26
Rhynard, Mike	F2, F5, H6, H12
Rice, Mel	C11, P10, P14
Rice Ranches	F2, F5, H6, H12
Richards, Belle	A30
Richards, Paul	A18, B21, P14
Richardson, Gail and John	A26, B21, E1

<i>Name</i>	<i>Comment Code</i>
Rieben, Greg	A9, A31, B23, C24, J6
Roberts, John	B19
Roberts, Richard and Janet	A26
Robinette, David	A9, A31, B23, C24, J6
Robinson, Elizabeth	C14
Rocky Mountain Recreation Initiative	A26, A28, B22
Rodgers, Ross	B19, C18
Rodrique, Michael	B11
Rodrique, Patricia	B11
Roe, Teddy	A26, B21
Roffler, Gwen	F2, B35
Roffler, Jeff	B30
Roffler, Malcolm	F2
Rogers, Everett	A9, A31, B23, C24, J6
Rogers, Scott	F8, P14
Romano, Victor Sr.	A1
Roods, Bob Jr.	A9, A31, B23, C24, J6
Rose, James	P14
Ross, Kathy	F8
Rossetter, George	F2
Rost, Bruce	A9, A31, B23, C24, J6
Rost, Roddy	F4, F6, H6, P4
Rostad, Helen	F2, F5, H6, H12
Rostad, Phil and Lee	F2, F5, H6, H12
Rowe, Rosemary	B19
Rudner, Ruth	B21
Ruggiero, Jory	B21
Ruone, James	A9, A31, B23, C24, J6
Rupp, Gretchen	A26
Ryder, Cal	B11
Sammons, Roger	A9, A31, B23, C24, J6
Samuelson, Chuck	A68, B23, C8, C24, J6
Sauer, Greg	A26
Sautter, Jack	A9
Scheerer, David	A26
Schenck, Lewis	A9, A31, B23, C24, J6
Schombel, Stephen	B19, D1
Schroeder, Reuben	A9, A31, B23, C24, J6
Schneider, David	B21

<i>Name</i>	<i>Comment Code</i>
Schroeter, Franklin	A26, C29, H1, I6
Schuerr, Lynelle	A27
Schulz, James	B19
Schwalbe, Jim	B11
Scott, Dan	A9
Scott, Reginald	A9, A31, B23, C24, J6
Seitz, Victoria	A26, B19
Sentz, Gene & Linda	A26, A66, B19, E1, P12
Serba, Donald	A9, A31, B23, C24, J6
Shaffer, Daniel	A26
Sharp, Patricia	B21
Sheets, Mark	B21
Sherman, Joseph	B19
Sherman, Michael and Susan	A26
Sherman, Roger and Susan	A26, B21
Shewman, Aaron	B19
Shockley, Dick	P14
Shores, Karen & Richard; Cheney, Robert; et al.	B19
Shotwell, John	A9
Siebel, Gonnie	B21
Sierra Club, Bitterroot-Mission Group	A16, A26, A32, A50, B21, E1
Sierra Club, Indian Peaks Group	B22
Siller, Doug	B19
Simanek, David	A26, D5
Simmons, Edmund and Dorothy	P8
Simpson, Herva	B21
Sitz Angus Ranch	F2, F5, H6, H12
Sixty Three Ranch	A27, B19
Sizemore, Franklin	A9, A31, B23, C24, J6
Skaggs, Bob & Jackie	B22
Skahan, Mariann	A27, D5
Skari, Arlo and Darlene	P14
Skeahan, Greg	A9, A31, B23, C24, J6
Sklany, Steve	A9, A31, B23, C24, J6
Sloan, Gary and Mary	A26
Smith 6-S Livestock	D1, F2, P14



<i>Name</i>	<i>Comment Code</i>
Smith, Anthony	A9, A31, B23, C24, J6
Smith, Duane	C14
Smith, Farwell and McMullen, Linda	A26
Smith, Glenn	A9
Smith, Jeffrey	A26, B19, E1
Smith, Richard H.	A6, A9, A13, A29, A32, A34, A35, B14, C3, H1, H2
Smith, Richard	A26, B21
Snyder, Elaine	P14
Solheim, Carl	G2
Solum, Richard	P14
Southwest Montana Wildlands Alliance	A28, B19, P12
Spinler, Edward	A26
Spolari, Richard	B21
Stanley, Patrick	A13
Stede, Sharon	A9, A31, B19, C24, J6
Steinmuller, David	A26, B21, C12, C13
Stephens, John	A26
Steur, Aleta	B19
Stevens, Tim	A26, A28, B21
Stewart, Donald	A9, A31, B23, C24, J6
Stilwell, James	B11
Stimac, Lois	B21
Stockton, Ken	C9
Stone, J.B.	A31, B23, C24, J6
Stone, Robert	B19
Stoner, John	B21
Stotler, Ed	F1, P14
Strand, Dean	C4, F2, P9, P14
Strash, Raymond	A9, A31, B23, C24, J6
Straw, William	A9, A31, B23, C24, J6
Strazdas, Pete	A28
Streich, John	D1
Strickland, Linsey	B25, P14
Stroble, Peggy	A26
Strodde, Rudy	P14
Strodtbeck, Lori	A9, A31, B23, C24, J6
Stuker, Richard	F2, F7
Sullivan, Debra	P8
Sullivan, Shane	P8

<i>Name</i>	<i>Comment Code</i>
Suttle, Bob	F1
Swan View Coalition	A5, A26, A61, B21, B22, B24, P3
Sweet Grass County Recreation Assn.	P10
Swenson, Robert	C9
Swenson, Ruth	B19
Swift, Bernie	A3
Swigle, Robert	A26, B19
Switzer, Lisa	B21, P14
Sykes, Jo	B19
Syverson, Mark	B21
Taber, Clarence	A68, A70, J2
Tacke, Victor	P9, P14
Taylor, Don	B21
Taylor, Larry	A9, A31, B23, C24, J6
Terra, Richard	B21
Third Growth Native Plants	A26, A27, B21, J1
Thomas, Gary	B19
Thompson, Gordon	P14, B19, B21
Thompson, Kirk	A26, A27, B21, B23, B24
Throop, Gayle	P12
Throop, Trever	P14
Tidwell, Diane	A26
Tighe, Dennis	A26, B21, E1, P12
Timmons, Rebecca	B43
Titus, Ross	A27, B23, K7
Toliver, Calvin and Peggy	P8
Tomich, Robert	B19, B21
Torre, Rick	D1
Trask, Marvin	B19
Triol, Jean	A26
Trolinger, Charlotte	A26, E1
Trollope, Clifford & Julia	A26, E1
Turner-Jamison, Ann Catherine	B19
Tweto, Doug	A9, A31, B23, C24, J6
Udell, Charles	B11, D1, J1, P14
Ulias, Janet and John	D1, G2

<i>Name</i>	<i>Comment Code</i>
Unfried, Stephen	P14
US Environmental Protection Agency	A27, B11, B20, B21, B24, B26, P2, P3, P9, P12
US Fish and Wildlife Service	B21, K7, K15, K16, P3, P12
Van Brunt, Kellie	P9
Van Brunt, Dwight	P9
Van Hyning & Assoc.	A53
Vernon, Jim	A26
Vignere, Joel	A26
Vincent, Virginia	A26, B19
Violette, Betty	B21, C6, P14
Visocan, Jodi	B21
Voldseth, David	F1, F5, H6, H12
Vylasek, Robert	J2
Wade, Kelly and Spannring, Robert	A26
Waggener, Bruce	P12
Walker, Ira	A9, A31, B23, C24, J6
Waltz, Alan	B21
Wambach, Carl	P9
Wankier, Jeff	P14
Warr, Thomas	D1
Warren, Mark	P11
Warwood, Dave	P9, P13
Watts, James	B1
Weaver, Andrew	A9, A31, B23, C24, J6
Weaver, Earl	A8, A31, B23, C24, J6
Weaver, T.	B17, B18, J1, P10
Webster, Jack	C9
Webster, Margaret	A27
Weinert, Allen	A26
Weis, Paul	C9, C13, C14, C15
Wells, Al	B19
Wells, Stephen	B19
West, Winfield	A9, A31, B23, C24, J6
Western Environmental Trade Assn.	A13, A14, C20, H7
Western South Dakota Fur Harvesters	B11
Wetzsteon, Brian	A9, J2, P1

<i>Name</i>	<i>Comment Code</i>
White, Dale	D5
White, Kerry	B10
Whitehorn, Wendy	A26, B19
Whitlock, Katherine	B19
Wigaard, Rolf and Robin	A26, B19
Wild Wind Records	B19
Wilderness Society	A26, A51, B21, B23, B28, J4, P3, P14
Wildlife Management Institute	B11, B16, B21
Wilke, Irving	P8, P12
Williams, Bryce	A26
Williston Basin Interstate Pipeline Co.	B6
Willits, Robert	A26
Wilsnack, Ann	A26
Wilson, Paul & S.;Yonce, JB & D.; Burrus, Ch. & J.	B21
Wilson, Rebecca	A9, A31, B21, C24, J6
Wilson, Terry	M2, P9
Wilson, Tyrone	A31, B23, C24, J6
Wipf, Calvin	P14
Wisman, Jim	A26, B11, P14
Wisness, Paul	F2
Woerner, Don	B11
Wold, Randy	A26, A29, A41, B19, B21, K8, P3
Wong, Linnea	B21
Wood, Adam	J2, P10
Wood, Michael	J2
Wood, Ted	A26, B22
Wood, Tom Jr.	H1, P10
Woods, Charles	A9, A31, B23, C24, J6
Worf, Bill	B21
Workman, Mike	A9
Worthy, Willie	A27, B23, C27, J6, P3, P14
Wosepka, Alan	F2, F5, H6, H12
Wrigglesworth, Scott	A24, B23, P9
Wright, Carroll	P14
Yearout, Wayne	P12

<i>Name</i>	<i>Comment Code</i>
Yellowstone County Weed Dept.	B19
Yellowstone Valley Chapter Audubon Society	A26, A69, B19, E1, F8, P12
Yerk, David	P9
Yetter, Jerry	B11
Yetter, Sandra	A26, D1, D5
Yorks, Terence	A40
Young, Janet	A26
Young, Richard	B19
Zacher, William	B19
Zackheim, Hugh	B21
Zavadil, Bob	B21

Comments on the DEIS from the following list of letters were considered and are important to the decision-makers because they provide information on the opinions and preferences of the public, but the comments are considered nonsubstantive and are not responded to in the FEIS. Please refer to the Summary of Public Comments on the DEIS at the beginning of Chapter 4.

Aas, Barbara  
Abernathie, Gordon  
Abraham, Roger  
Abraham, Sharon  
Adams, Arley and Betty  
Adams, Jane and Hyde, Andy  
Aker, Alan  
Albrecht, Corwin  
Albritton, Michael  
Albro, Chauncey  
Alexander, Denise  
Alexine, Mary  
Alley, James  
Alt, Thomas  
Amtmann, John  
Anaconda Parks & Recreation  
Anderson, Bill  
Anderson, Gene  
Anderson, Ric  
Anderson, Thomas  
Andrews, Paul  
Andromidas, Jorge  
Annis, Bud  
Arlee Ambulance Service  
Armstrong, Larry

Army Corps of Engineers  
Arneson, Don  
Arneson, Elinor  
Arrington, Maria  
Ashley, Dan and Sandi  
Ashley, Laurie  
Ashmore, Kenneth  
Atchley, Peggy  
Atkins, Thomas  
Aukshun, Rob  
Aven, Peter  
Baeten, William  
Baker, Ann  
Baker, Darrell  
Baker, David  
Baker, Don  
Baker, Forrest  
Baker, Lorraine  
Baker, Lyle  
Baker, Mike  
Baker, Shawn  
Banderof, Steve  
Bardsley, Johnathan  
Barnes, Joan  
Barngrover, Jim  
Barnum, Merl  
Barrett, Bill  
Barrett, Debby  
Barrett, Steve  
Barth, Donald  
Barthel, Don  
Bartholomew, Dorothy  
Bartlett, Lee  
Battaglia, John  
Bauer, Brian  
Bausett, David  
Baxter, Molly  
Beatty, Marvin  
Beauchaine, Steve  
Beck, Barb  
Beck, Robert  
Becker, Steve  
Bell, Steve  
Belles, Mark  
Belter, Kathleen  
Benbrook, Dee, Jerry, Jesse, Wendy, Wes & Monica  
Benish, Rick  
Bennett, Hugh  
Benton, Fay  
Berg, C.V.  
Berg, Dan  
Bergsland, Tom  
Bermingham, Marnie  
Bertoia, Celia  
Bertsch, Brian

Bierlein, Fred  
 Bigler, Robert  
 Bilodeau, Alex  
 Birch, Joan  
 Birch, Mark  
 Birck, Bill  
 Bischke, Scott and Gibson, Katie  
 Bishop, Erin  
 Blend, Jeff  
 Blend, Rebecca  
 Bloomenrader, Ashley  
 Bloomquist, James  
 Blotkamp, Mary and Bob  
 Boehmke, John  
 Bohn, Frank  
 Bolin, Stanley  
 Bonnicksen, Jon  
 Boots, Debby  
 Borden, Robert  
 Borglum, Troy  
 Borgmann, Albert  
 Borst, Brad  
 Bowler, Tom  
 Boyd, Terry  
 Boyer, Steven  
 Bradeen, Monty & Kathy  
 Bradley, Carl  
 Bradley, Doug and Judy  
 Bradley, Patricia  
 Brady, Joseph  
 Brakke, William  
 Brehe, Dale  
 Bressler, Alan  
 Breuninger, Nancy and Ray  
 Bridges, Robyn  
 Brindle, Jayne  
 Brion, James and Jane  
 Brion, Linda  
 Broers, Henry  
 Bromenshenk, Kevin  
 Brooks, Ann  
 Brophy, Matt  
 Brown, David  
 Brown, Gertrude  
 Brown, Jeffry  
 Brown, Jim and Jean  
 Brown, Lloyd  
 Brown, Sally  
 Bruch, Henry  
 Brundage, Roger  
 Bruno, Lou  
 Buchanan, T.  
 Buchholz, Neil  
 Buck, Dan  
 Buckley, Muriel

Bue, Titian  
 Bull, Tom  
 Burdette, Eric  
 Burk, R. L. Stoney  
 Burke, Don and Julie  
 Burkett, Dana  
 Burnett, Bill  
 Burt, Sheldon  
 Buttrell, Maggi  
 Byrne, Kerrie  
 Bitterroot Ridgerunners Snowmobile Club  
 Cady, Fred and Katie  
 Cahill, Julie  
 Calkas, Jay  
 Callahan, Leon  
 Callarman, Steve  
 Campbell, Bob  
 Campbell, Francis  
 Canyon Wedding Chapel  
 Capp, Richard  
 Carda, Loyson  
 Cardella, Richard  
 Carlson, Helen  
 Carlson, Katrina  
 Carlson, Pam  
 Carmer, Steven  
 Carroll, Robert  
 Carson, Robert and Brenda  
 Carter County Predator Control Board  
 Carveth, Nell  
 Cascade Co. Weed & Mosquito Management Dist  
 Casmer, Robert  
 Catter, Robert  
 Cawley, John and Doris  
 Centner, Randy  
 Cervelli, Jim  
 Chadwick, Francis  
 Chalgren, Bill  
 Chamarro, George  
 Champion, Robert  
 Chase, Ron  
 Chenoweth, Jim  
 Chessin, M.  
 Chestnut, Marilyn  
 Christopher, John  
 Church, Tom  
 Cieslak, Sheldon  
 Claassen, Diana  
 Clark, E.R.  
 Clark, Lisa  
 Clark, Richard  
 Clark, Scott  
 Clarkson, Bill  
 Clawson, Chip  
 Clay, Carolie

Clousing, Richard  
Coalition for Canyon Preservation, Inc.  
Cobb, John  
Cockrum, Earl  
Coe, Clarence  
Cohen, Ferne and Martin  
Cole, David  
Collins, Jim  
Colson, Chris  
Confluence Timber Company  
Conklin, William  
Connell, Mark  
Conner, Jack  
Conner, John  
Conroy, Michael  
Conroy, Tari  
Cooke, Brian  
Cooke, Lucy  
Copeland, Joe  
Copeland, Sharon  
Cornell, Judy  
Costello, Brian  
Couch, John  
Court, Jim  
Courter, Mark  
Crampton, Vicky  
Crandell, Myrtle  
Cravens, Cristina  
Crawford, Richard  
Crimi, Richard  
Cronick, Glenn  
Cronk, Richard  
Crook, Lillian  
Cross, Louise  
Cumin, Cal  
Cunningham, William  
Curtis, Sam  
Dahlberg, James  
Dahlgren, P.N.  
Daumiller, Amanda  
Daumiller, David  
Daumiller, Robin  
Daumiller, Scott  
Davey, Blaine  
Davis, Martin  
Davis, Richard  
Davis, Thomas  
Dawkin, Erik  
Dawkins, Jenny  
Day, Stephanie  
Dayton, Shari  
Decker, Richard  
Decker, Robert  
Deethardt, Mary  
Deethardt, Pat

Deethardt, Steve  
DeGrandpre, Mike  
DeGunia, Earnest  
Dehner, George  
Demarest, Roberta  
Derleth, Jim  
Detter, James  
Deveny, Chris  
Dietz, Chuck  
Dilley, John  
Dixon, Ralph  
Dodge, Dave  
Dodge, Dick  
Dodge, Phil  
Dodson, Charles  
Doering, Charles  
Dolecheck, Frank  
Doll, Dave  
Doll, Michael  
Domin, David  
Dominick, DeWitt  
Donahey, Lynette  
Dornberg, Maurice  
Dowdin, Lawrence  
Drakos, Kathleen  
Drobish, Lois  
Drollinger, Heather  
Dumas, Scott  
Dundee, Lauran  
Dunn, Richard  
DuPea, Aimee  
Dussault, Suzette  
Dutton, Mel  
Easterday, Dave  
Eaton, Eric  
Eaton, Kathleen  
Eddy, Mike and Karen  
Edwards, Chris  
Edwards, Paul  
Eger, Joseph  
Ehnes, Ramona  
Eidson, Gayle  
Eidson, James  
Ek, Randy  
Eldridge, Bruce  
Elliott, Elizabeth  
Engler, George  
Englund, Kim  
Englund, Russ  
Erhart, William  
Erickson, Aaron  
Erickson, Susan  
Errea, Marty  
Estey, Brian  
Etzel, Joanne

Etzel, Richard  
 Eusterman, George Jr.  
 Evans, Kate and Dick, Fred & Jessie; Adler, Kelley  
 Evenson, Tom  
 Fairbairn, Cheryn  
 Fanelli, Cris  
 Faust, William  
 Fawcett, Don  
 Fedelchak, Paul  
 Fellenz, Robert and Mary  
 Ferguson, Joe  
 Ferry, Al  
 Feyers, Danny  
 Fields, Joslin  
 Finley, Carol  
 Finley, Tim  
 Finnicum, Doug  
 First Kelly, Gail  
 Fisher, Bernard  
 Fisher, Edgar and Shirley  
 Fisher, Roy and Kitty  
 Fisk, Ann  
 Fisk, Jamie  
 FitzGerald, Bill and Vicki  
 Flanderka, Mary  
 Flanderka, Steven  
 Flannigan, Barry  
 Fleck, Don  
 Ford, Steve  
 Forrester, Kent and Cheryl  
 Forrester, Lyle  
 Forseth, Jill  
 Fowler, Ron  
 Fox, Mark  
 Frank, Gary and Linda  
 Fraser, Robert  
 Frazier, Christine  
 Fredericksen, Harvey  
 French, William  
 Fries, Rollin  
 Froelich, Karen  
 Froelich, Patrick  
 Frost, Betty  
 Frost, Dean  
 Fubeth, Wayne  
 Fuller, Lela  
 Fuller, Robert  
 Funk, Wendell  
 Funke, Steve  
 Furlong, Roger  
 Gaab, Joe  
 Gaddy-Rhodes, Penny  
 Gallatin Wildlife Assn.  
 Galle, Daniel  
 Gans, Marcia

Garcia, Steve  
 Garrett, Brian  
 Gaub, Greg  
 Gazzo, Paul  
 Gedrose, Douglas  
 Gee, Donald  
 Geiszler, Gerald  
 Gelder, Tom  
 Gelderman, Kurtis  
 George, Joe  
 Gerleman, Linda  
 Gibb, Rachel  
 Gibbs, Geoff  
 Gidel, Ann  
 Giese, Mark  
 Gilfillan, Tom  
 Gillilan, James  
 Gilman, Robert  
 Gingery, Sandra  
 Glade, Shirlee  
 Glasford, Mark  
 Glendale-La Crescenta Advocates  
 Glovan, Ronald  
 Goldsberry, James  
 Goodrum, Lu  
 Gorzalski, Brett  
 Gougler, Nancy  
 Goulding, Blake  
 Grabinski, Lawrence  
 Graf, Kerry  
 Gray, Chris  
 Grayson, Marcie  
 Grayson, Matt  
 Grayson, Mike  
 Greer, Sonny  
 Gregerson, Kori  
 Gregovich, Barbara  
 Gregovich, Gayle  
 Greil, Thomas  
 Grey, Becky  
 Griffin, Jay  
 Griffith, Richard  
 Grimm, Jake  
 Grimm, Lewie  
 Grosy, Brian  
 Grover, Jack  
 Grunenfelder, Craig  
 Guldborg, Ann  
 Gustafson, Brett  
 Guthals, Ann  
 Gutzwiler, Joe  
 Guyer, Vernon  
 Gylten, Greg  
 Haarstick, Steve  
 Haase, Scott

Habib, Mark  
 Hader, Curt  
 Hagen, Eldon  
 Hagenbarth, Jim  
 Haggett, Ann  
 Haggett, Ben  
 Hagie, Wayne  
 Hahnkamp, Charles  
 Haines, Danny  
 Haire, Gene  
 Hale, Sandra  
 Hall, Adrienne  
 Hall, Clay  
 Haller, Bruce  
 Haller, Kaye  
 Ham, Anna  
 Hamby, Bob  
 Hamel, Armand  
 Hamilton, Anne and Stirling, Ron  
 Hamley, Bob  
 Hand, Rick  
 Hansen, Harmon  
 Harden, Jim  
 Hargrove, Jay  
 Hargrove, Marian  
 Hargrove, Michael  
 Hargrove, Richard  
 Harms, Valerie  
 Harper, Daniel  
 Harper, George  
 Harris, Dale  
 Harris, Donald  
 Harris, Warren  
 Harrison, Donna  
 Harrison, Lee  
 Harsh, Carolyn  
 Hart Goldstein, Heather  
 Hartman, Steven  
 Harvey, Paul Jr.  
 Hauer, John  
 Haverlandt, Ron  
 Hawkins, Peter  
 Hawkinson, Robin  
 Hay, John  
 Hayes, Henry  
 Hayes, Patrick  
 Hazlewood, Rob  
 Heaton, Jack  
 Hebel, Duane  
 Heger, Ed  
 Hegman, Mitchell  
 Heidbrink, Brian  
 Hein, Samuel  
 Hellebust, Ilert and Kay  
 Helm, Mike

Helming, Gary  
 Helvey, Pat  
 Hetley, John  
 Heywood, Michael  
 Hiatt, Elwood  
 Hiatt, Nina  
 Hicks, Steve  
 Hiestand, Kathryn and Miller, Neal  
 Hill, Malcolm  
 Hiller, Edward  
 Hitt, William  
 Hixson, Rick  
 Hogenson, David  
 Hohensen, Larry  
 Hokenson, Connie  
 Hokenson, Lancy  
 Hokenson, Viola  
 Holland, Patrick  
 Hollopeter, Joyce  
 Holmes, Nick  
 Holst, Walter  
 Holzheimer, Lewis  
 Hooper, Robert  
 Hooton, John  
 Hope, Carol  
 Hope, William  
 Hopkins, Bill  
 Horan, Tim  
 Hosburg, Thomas  
 Hoskins, Mark  
 Houle, Billie and Frank  
 Howard, Elaine  
 Howard, John  
 Howard, Linus  
 Howard, Steve  
 Howze, Blair  
 Hubacher, William  
 Hubbard, James  
 Huber, Denny  
 Huber, Patrick  
 Hubley, Sherman  
 Hudacher, Tim  
 Huether, Victor  
 Huff, Rob  
 Huggett, Gordon  
 Hunt, Ronald and Sandra  
 Huntsberger, John  
 Hurlock, Thomas and Linda  
 Illi, JoAnn  
 Ingalle, Charles  
 Ingalle, Phyllis  
 Ireland, Archie and Ruby  
 Isaacson, Donald  
 Israel, Nellie  
 Jackson, Jerry

Jackson, Laura Mae  
 Jackson, Ward  
 Jacobson, Don  
 Jaeger, Patsy  
 Jaeger, Richard  
 Jameson, Brian  
 Jansa, Keith  
 Jappe, William  
 Jasumback, Joan  
 Jennings-Mills, Kathleen  
 Jensen, Doug  
 Jensen, Gary  
 Jensen, Kenneth  
 Jerome, Joshua  
 Jewell, Marleen  
 Jewell, Robert  
 Johannsen, Duane  
 Johnson, Allen  
 Johnson Bressler, Suzanne  
 Johnson, Gary  
 Johnson, George  
 Johnson, Hugo  
 Johnson, Kevin  
 Johnson, M. LeRoy  
 Johnson, Wade  
 Johnson, Walt and Phyllis  
 Johnson, William  
 Johnston, D'Wayne  
 Jones, Brian  
 Jones, John  
 Jones, Sherry  
 Jongeling, Mike  
 Joronen, Leslie  
 Junkin, Joe Pat  
 Kaelin, Eric  
 Kaiser, Kenny  
 Kalaveras, Robert  
 Karcewski, Don  
 Karvald, Davin  
 Katzenberger, Sherry  
 Kendall, Dick  
 Kennedy, Ben  
 Kenyon, Randy  
 Kerr, Dorothy  
 Kichti, Ken  
 Kidd, Timothy and Karen  
 Kidder, Jo Ann  
 Kiehn, Don  
 Kieran, Mollie  
 Kilmer, Dylan  
 Kilmer, Lauren  
 Kilmer, Tom  
 Kilo, Bruce  
 Kilzer, Edward  
 Kindsfater, Dennis

King, David  
 Kingsley, Norman and Anna-Lisa  
 Kit, Steve  
 Klatt, Lester  
 Klawitter, Ralph  
 Klein, Heidi  
 Kleppen, Rayleen  
 Klosterma, Robert  
 Knotts, Mary  
 Knudson, Ken  
 Komes, Todd  
 Kosnick, Richard  
 Kraus, Al  
 Krebs, Michael  
 Krebsbach, Eugene  
 Kress, Charlotte  
 Kronebusch, Jon  
 Kronebusch, Shirley  
 Kroon, Daryl  
 Krueger, Kurt  
 Kuechle, Janelle  
 Kuhl, Sam and Nanette  
 Kunka, Jenny  
 Kunz, Kenneth and Carol  
 Kuropat, Edd  
 Kurtz, R.  
 Kwasney, Melissa  
 Kwasney, Melissa  
 Labouvre, Eric  
 Laddish, Bill  
 Ladenburger, Craig  
 Lambert, Arline  
 Lance, Robert  
 Lander, Heather  
 Lane, Arlie  
 Lange, Barbara  
 Langenbach, Harold  
 Langenbach, Helen  
 Lapham, Pete  
 Larsen, Scott  
 LaSalle, Sonny  
 Lavino, Edwin  
 Lawson, Randy  
 Leach, Collin  
 Leathe, Steve  
 Lee, Joyce  
 Lee, Sylvia  
 Lehenbauer, Norbert  
 Lehenbauer, Steve  
 Lehm, Alan  
 Lemire, Linda  
 Lents, B. D.  
 LeRoux, Larry  
 Lewis, Carolyn  
 Lewis, Jim



Lien, David  
 Ling, Bud  
 Lingenfelter, James  
 Linnell, Dixie  
 Liss, Carole  
 Lockwood, Peter  
 Lodmell, Donald  
 Loney, Greg  
 Loomis, Todd  
 Loring, Eugene  
 Loterbauer, Orvin  
 Luckasson, Eric  
 Luebeck, Mark  
 Lund, Thomas  
 Lund, Yvonne  
 Luther, Richard  
 Lyman, David  
 Lyman, Debbie  
 Lynaugh, Jim  
 Lynch, Neil and Charlotte  
 Lyon, Vivan  
 Mabbott, Charles  
 MacDonald, Rod and Nancy  
 Mackay, Donald  
 Mackenzie, Scott  
 Mackin, Mark  
 MacLean, Bonnie  
 MacLean, Colin  
 Madej, Ed  
 Madgic, Jennifer  
 Mael, Alvin  
 Maggert, Karen  
 Maloney, Sam  
 Manthey, Larry  
 Marble, Karen  
 Marino, Tom  
 Markle, Harriet  
 Martenson, Robert  
 Martin, A.T.  
 Martin, Donna  
 Martin, Pat  
 Martinez, Anne and Larry  
 Martinez, Darlene  
 Martsolf, Mike  
 Martz, Leslie and Bruce  
 Marx, Donna  
 Mason, Glenn  
 Masquelier, David  
 Massa, Penny  
 Mast, Dee  
 Matson, Gary  
 Mattfeldt, Marlys  
 Matthews, Jonathan  
 Mattocks, Hunter  
 Maurer, James

Maus, Gordon  
 Mavis, Craig  
 Maxson, Bill  
 Maxted, Frederick III  
 May, Bruce  
 Mayernik, Stephen  
 Mayne, Kurtis and Morgan, Rebecca  
 Mazuranich, Phil  
 McAndrew, Donald  
 McBride, Sue and Mike  
 McCabe, George  
 McCarthy, James  
 McCarthy, Judy  
 McClelland, Riley  
 McDonald, Darell  
 McDougal, Suzanna  
 McElravy, Shaen  
 McFarland, Charles  
 McFarland, Robert  
 McGill, Patrick  
 McGivney, Michele and Martin, James  
 McGrew, Mike  
 McIntosh, James  
 McKay, Robert  
 McKechnie, Sam  
 McKenna, Patrick  
 McLarty, Margarita  
 McLaughlin Insurance Services  
 McLean, Bill  
 McLeod Resort  
 McMahan, Franci  
 McManus, Jack  
 McManus, Janice  
 McMillen, Stew & Mimi  
 McPhee, Matt  
 Meade, Jim  
 Meis, Evelyn  
 Meister, O.  
 Meloy, Satre  
 Mendenhall, Robert  
 Menz, Richard  
 Menzek, Randy and Janice  
 Mercenier, Jacqueline  
 Mercer, Bill  
 Merwin, Carol  
 Merwin, Ray  
 Messerly, Fred  
 Mest, Eleanor  
 Mest, John  
 Metz, Lyle  
 Metzger, Linda  
 Meyer, Curt  
 Meyers, Keith  
 Michel, Randy  
 Mielke, Teresa

Miles, Joan  
 Milledge, Richard  
 Miller, Dave Jr.  
 Miller, Elizabeth  
 Miller, Eugene  
 Miller, John  
 Miller, Leuann  
 Miller, Monte  
 Miller, Myrtle and Eugene  
 Miller, Sam  
 Milner, Doris  
 Milner, Gary  
 Miner, Rod  
 Mingari, Joe Jr.  
 Mingari, Susan  
 Mlot, Matthew  
 Montana Parks Association  
 Montana Wilderness Assn., Island Range Chapter  
 Montana Wilderness Assn., NW Field Office  
 Moore, Frank  
 Moore, John  
 Moore, Mimi  
 Morgan, Paul  
 Morley, John  
 Morris, Heather  
 Morrison, Alex  
 Mortenson, John  
 Mortenson, Virgil  
 Morton, Ruth and John  
 Moshier, Gail  
 Moshier, Lynn  
 Mountain Air Insurance Services  
 Moyer, Leonard  
 Moylan, Thomas  
 Mueller, Todd  
 Mullen, Norm  
 Mullenix, Bob  
 Mumey, Brendan  
 Mumma, Marie  
 Mumma, Martin  
 Munier, Gerard  
 Munson, Gene and Brown, Tamzin  
 Muretta, Joanne  
 Murnion, David  
 Murphy, Don  
 Murphy, Gary  
 Nankivel, Donald  
 Nardinger, John  
 Nash, Floyd  
 National Park Service  
 National Rifle Assn. of America  
 Neese, Ursula  
 Neidhardt, Henry  
 Nelson, Catherine  
 Nelson, Larry

Nelson, Mary  
 Nemes, Hazel  
 Nemes, Syl  
 Nesje, Jared  
 Neuman, Rosemarie  
 Neuman, T. R.  
 Nevadomski, Nicole  
 Newman, Delwyn  
 Newman, Ron  
 Newman, Sally  
 Newton, Don  
 Nichol, Bob  
 Nielsen, Arthur  
 Nielsen, Mary Ann  
 Nine Quarter Circle Ranch  
 Nissley, J. S.  
 Noack, Alan  
 Noack, Vickie  
 Nolan, Monty  
 Northern Rockies Natural History  
 O'Connell, Bill  
 O'Connor, Roy  
 O'Neil, Leslie  
 Obrigewitch, Iwy  
 Oldendorf, Walter  
 Olson, Chad  
 Olson, Dave  
 Olson, Lance  
 Olson, Tim  
 Opitz, Bonnie  
 Orcutt, Mark  
 Orr, Sally  
 Orton, Margaret  
 Orvis, Joyce and Claude  
 Osborn, Sophie  
 Osler, Robert  
 Owens, Dave  
 Page, Cory  
 Palbicki, Mark  
 Palo, Harlan  
 Pannell, Kenny  
 Parker, John and Tamie  
 Parker, Norma  
 Parrott, Jay and Andrea  
 Paul, Lloyd  
 Pearce, Clayton  
 Pearson, John  
 Peery, Lance  
 Peetz, David  
 Perrion, Dave  
 Peterson, Everett  
 Peterson, Mike  
 Peterson, Richard  
 Peterson, Roger  
 Petition from Winterroud, Hagen et al.

Pettersen, Fred  
 Petterson, L.M.  
 Petterson, Roy  
 Pew, J.  
 Pflanzer, Sandra  
 Phelps, James  
 Philips, Kenneth  
 Phillips, Natalie  
 Phoenix, Shaun  
 Piper, Harry and Mary  
 Pistelak, Christopher  
 Pittenger, Leea  
 Platt, Kenneth  
 Pollreisz, Chad  
 Pollreisz, Shawn  
 Pollreisz, Tom  
 Polston, Juanita  
 Pomeroy, Vern  
 Pondera County Weed District  
 Post, Arvin  
 Posten, Kathryn  
 Pounder, June  
 Pozega, Thomas and Joann  
 Preez, Randall  
 Presler, Brian  
 Preston, John  
 Price, Brenda  
 Public Employees for Env. Responsibility  
 Puccinelli, Tom  
 Punt, Terry and Alderson, Jeanie  
 Purdy, Kim  
 Pyles, Richard and Louette  
 Quarteccio, Frank  
 Queen, Bob  
 Quenemoen, Gene  
 Quinci, David  
 Quinn, Gary  
 Rae, Ron  
 Rahr Malting Company  
 Rammer, William  
 Ramstad, Robby  
 Rana, Paul  
 Rand, Doug  
 Rasch, Kay  
 Rasmussen, Robert  
 Rasmussen, Wayne  
 Rasor, Lee  
 Rayhill, Jarrod  
 Ream, Tarn  
 Recreational Springs Resort  
 Redfield, Charles  
 Rein, Stephen  
 Reisenauer, Ray  
 Reiter, John  
 Renner, George

Reynolds, John  
 Rhinerson, Mark  
 Richard, LaVern  
 Richards, Belle  
 Richards, Joy  
 Richards, Paul  
 Richardson, Colin  
 Richter, Christa  
 Richter, Jonathon  
 Rigels, Kevin  
 Rinaldi, Tracey  
 Ringer, Charles  
 Rinke, Ann  
 Ripp, Gretchen  
 Risner, Mark  
 Robbins, Jack  
 Robert, Sylvia  
 Roberts, Les  
 Robertson, Dave  
 Robertson, Mark  
 Robinson, Donald  
 Robinson, Elizabeth  
 Roe, Laura  
 Roessmann, Anita  
 Rogers, Everett  
 Rogers, Rex  
 Rogers, Suzanne  
 Rolfsrud Ranch  
 Roll, Arlen  
 Romey, Edith and Oliver  
 Root, Gary  
 Ropp, Peter and Pam  
 Rosser, Daniel  
 Roullier, Robert  
 Rouse, Clint  
 Rovere, Cathy  
 Rovere, Johna  
 Rovere, Scott  
 Rubich, Michael  
 Rule, William  
 Rusche, Carolyn  
 Rusmore, Barbara  
 Russell, Alex  
 Rust, John  
 Rutledge, Les  
 Ryan, Clarice  
 Ryan, S.  
 Ryder, Cal  
 Ryshary, Joan  
 Sage, Jay  
 Salembier, Dan  
 Salo, Kenneth  
 Salvas, Loda  
 Sample, Michael  
 Sampley, Russell

Samson, Bill  
 Sand, Matt  
 Sand, Paul  
 Sandell, Tom  
 Sanders County Harvest Foods  
 Santifer, Randy  
 Saul, Lynda  
 Schambel, L. F.  
 Schassberger, Lisa  
 Schmidt, Guy  
 Schmidt, Jewel  
 Schnee, Susan  
 Schoenfelder, Lila  
 Schoenrock, Lamont  
 Schoenwald, Chad  
 Schoenwald, Heidi  
 Schott, Chad  
 Schramm, LeRoy & Dianna  
 Schroeder, Donald  
 Schroeder, Stanley  
 Schuh, Janet  
 Schuller, Jeff  
 Schuller, Mary  
 Schultz, Richard and Roberta  
 Schwan, Jodi  
 Schweiss, Gregory  
 Scilley, Robert  
 Scott, Paul  
 Seegar, Rhonda  
 Selyem, Bruce  
 Selyem, Ursula  
 Semrow, Robert  
 Severns, Jack  
 Seward, David  
 Shane, Susan  
 Sharp, Lon  
 Shaulis, Ira  
 Shaver, Craig  
 Shaw, Keith and Leslie  
 Shepard, J.C.  
 Sheppard, Amy  
 Sherrick, Robert  
 Shesne, Kenneth  
 Shipley, Dana and John  
 Shook, Terry  
 Shores, Karen & Dick; Green, John; Cheney, Roberta  
 Shores, Ray  
 Siebert, Harry and Sue  
 Siebert, Stephen  
 Siedentop, Dorothea  
 Siedentop, Susi and Ranger, Michael  
 Sieg, Paul  
 Simmons, Pat  
 Sims, Robert  
 Sines, Glen

Six, Barry  
 Smith, Chrysti  
 Smith, Duane  
 Smith, Farwell  
 Smith, Franklin  
 Smith, Fred  
 Smith, Glenn  
 Smith, Irmeli  
 Smith, Jean  
 Smith, Jeffrey  
 Smith, Jerald  
 Smith, Jo  
 Smith, Larry and Deborah  
 Smith, Leanne  
 Smith, Ruth  
 Smith, Susan  
 Smith, Terry  
 Sommer, Josh  
 Sommerfield, Dale  
 Somsen, Leon  
 Sorenson, James  
 Speyer, Tim  
 Spezia, John  
 Spotts, Richard  
 Spratt, Scot  
 St. James, Carolyn  
 Staffanson, Ann  
 Staffanson, Robert  
 Stage, Marty  
 Staley, Harry  
 Staley, Sue  
 Starshine  
 State Historic Preservation Office  
 Stauber, Della  
 Stauber, Steve  
 Steele, Volney  
 Steinmuller, Patti  
 Sternhagen, Michael  
 Stevens, Bob Jr.  
 Stewart, Theodore  
 Stillwater County Commissioners  
 Stillwater County Weed Board  
 Stillwater County Weed Board  
 Stockdale, Barry  
 Stoddard, Kevin  
 Storfa, Marty  
 Storms, Dean  
 Stragstalar, Mike  
 Struck, Bob  
 Sudman, Duane and Gail  
 Suek, Jim  
 Suek, Mrs. Jim  
 Suk, Tomas  
 Sullivan, Greg Amy and Natasha  
 Sullivan, Mark C.

Sullivan, Susan  
 Supple, Daniel  
 Sutherland, Barbara  
 Sutton, Tom and Becky  
 Swank, Derek  
 Swanson, John  
 Sweet Grass Rec. Assn. & Oversnow Access Inc.  
 Swisher, Marlene  
 Sylling, Diane  
 Taft, Bruce  
 Talcott, Diana  
 Tash, Bill  
 Taylor, Doris  
 Taylor, Dorothy  
 Theis, Roger  
 Thola, Ronald and Michael  
 Thomas, Dwight  
 Thomas, Karen  
 Thompson, Colette  
 Thompson, Dan  
 Thompson, Gordon  
 Thompson, Guy  
 Thompson, James  
 Thompson, Vern  
 Thomson, Jim  
 Throop, Tori  
 Thun, JoAnne  
 Tollefson, Greg  
 Tomac, Ken  
 Toren, Harm  
 Torgrimson, Lee  
 Toth, Joe  
 Totten, James  
 Toubman, Sara  
 Toumbs, John  
 Troedsson, Nils  
 Turner, Bruce  
 Tuttle, Will  
 Ueland, Don  
 Ulrich, Harvey  
 USDA Nat. Resources Conservation Service  
 Utter, David  
 Vaccaro, Lawrence  
 Vaccaro, Peggy  
 Valdez, Al  
 Valois, Ric  
 Van Alstyne, Mark  
 Van Arsdale, Jim  
 Van Brunt, Kendrik  
 Van Brunt, Ross  
 Van Der Wepf, Kevin  
 Van Tine, Jeff  
 Vanderwilt, Denny  
 Vanhook, Corin  
 Vasquez, James

Vercruyssen, Earl  
 Verry, Edward  
 Vincent, Virginia  
 Vogelbacher, David  
 Volden, Ronald  
 Vollertsen, John  
 Vroman, William  
 Wachs, Richard  
 Walch, Richard  
 Walgamuth, Ron  
 Walker, Duane and Linda  
 Walker, Jeffrey  
 Wallace, Stephen  
 Waltman, Steve  
 Waltner, Terrence  
 Walton, Dick  
 Walton, Jamie  
 Walz, William  
 Warila, Roger  
 Warren, Bonnie  
 Warren, Scott  
 Wasser, Taunya  
 Waters, Don  
 Waters, JoAnn  
 Waters, Roy  
 Waters, Scott  
 Waters-Barcomb, Julie  
 Weaver, Carol  
 Webb, Porter  
 Webb, Rebecca  
 Webber, Douglas  
 Weed, Rebecca  
 Weeks, Larry  
 Weiman, Nancy  
 Weinert, Allen  
 Welch, Susan  
 Werner, John  
 West, Stanley  
 Westerman, James Sr.  
 Wheelock, Dave  
 White, Bettye  
 White, Corey  
 White, Dusty  
 White, Susannah  
 Whitehill, Ben  
 Widener, George  
 Wikstrom, Katharine  
 Wilczynski, Peter  
 Wilder, Dan  
 Wildman, Kathy  
 Wiley, Gary  
 Wilhit, Mark  
 Wilkins, Brian  
 Wilkins, Gus  
 Will, Werner and Grace

Williams, Donna and Grout, Steven  
 Williams, T.  
 Willison, Jeannine  
 Wilson, Curt  
 Wilson, Joe  
 Wippenfurth, Gary  
 Wise, Robert  
 Withers, Tim  
 Wixsten, Marvin  
 Wolfe, Russell III  
 Wolff, Edward and Marilyn  
 Wood, Doris  
 Wood, Gary  
 Woodland Management  
 Woods, Edith  
 Woodyard, John II  
 Wright, John  
 Wright, Thomas  
 Wright, Warren  
 Yochim, Michael  
 Youmans, Larry  
 Youngbauer, Virgle  
 Zabriskie, George and Thyrza  
 Zadis, Peter  
 Zeiler, Sandra  
 Zimmer, William  
 Zimmerman, Janet  
 Zugaza, Roman

## INDEX OF COMMENT CODES

<i>Subject</i>	<i>Comment Codes</i>	<i>Page Nos.</i>
Planning	A1 to A70	121 to 140
Alternatives	B1 to B43	140 to 152
Recreation	C1 to C31	152 to 159
Roads and Trails	D1 to D15	159 to 161
Wilderness/Roadless Areas	E1 to E4	161 to 162
Commercial	F1 to F9	162 to 164
Social	G1 to G10	164 to 166
Economics	H1 to H12	166 to 168
Cultural Resources	I1 to I6	168 to 169
Vegetation	J1 to J10	169 to 171
Wildlife	K1 to K16	171 to 175
Water	L1 to L7	175 to 176
Soils	M1 to M5	176 to 178
Air Quality	N1 to N3	178
Geology	O1	178
Implementation	P1 to P14	178 to 182

## COMMENTS AND RESPONSES

The following pages are the agencies' responses to substantive public comments on the DEIS. The comments have been taken from the letters submitted during the public comment period.

The comments and responses are arranged by 16 categories (i.e. planning, alternatives, recreation etc.). Many comments have been grouped and summarized if they were similar in substance. Each comment is followed by the agencies' response.

### PLANNING

**A1 Comment:** Over and over again, the DEIS relates to possible problems and provides virtually no site-specific cases of environmental problems caused by improper OHV use. We also question whether this type of programmatic EIS, which is not site-specific, can be used to close millions of acres of public land to nonintrusive OHV use. Why another OHV project to restrict use of public land?

**Response:** Currently, about 16 million acres of public land are open to motorized wheeled cross-country travel either seasonally or yearlong, which has the potential to spread noxious weeds, cause erosion, damage cultural sites, create user conflicts, disrupt wildlife, and damage wildlife habitat. Problems do not occur equally throughout the analysis area. Over the years, random use in open areas has created trail networks in portions of the analysis area. Some of this use has occurred in riparian areas and on highly erodible slopes.

With an increase of OHV use, the BLM and FS have observed, in some areas, the spread of noxious weeds, soil erosion, damage to cultural sites, user conflicts and disruption of wildlife and wildlife habitat. Some of these areas include: White-tail/Pipestone area between Butte, Boulder and Whitehall, Montana; North Hills area north of Helena, Montana; Argenta area at the south end of the Pioneer Mountains; an area near Tach Mountain in North Dakota; areas in the Big Belt Mountains; a portion of the Continental Divide National Scenic Trail along the east side of the Nevada Mountain Roadless Area; Badger-Two Medicine area; and the southern edge of the Little Belt Mountains.

The BLM and FS realize that impacts from motorized wheeled cross-country travel may be consid-

erably different across Montana, North Dakota, and South Dakota. Problems are generally less where topography and vegetation physically limit off-road travel or where site-specific planning has restricted use. The agencies are concerned that unrestricted motorized wheeled cross-country travel has the potential to increase these problems.

The use and need for programmatic planning is discussed in Chapter 1, Background section. Designation of areas as open, limited/restricted, or closed to OHV's is accomplished through the resource management planning or forest planning processes. Also see Response A41.

**A2 Comment:** The user organizations that I work with in Dillon, Montana, received this DEIS information on November 25, 1999. When we went to the agency office to get copies before November 25 we were told they did not have the documents. It has been impossible to get the informational packets out to the public in the time frame allowed. It appears that the agencies did not want this information out in the hands of the public in a timely manner. A 60 to 90-day comment period is needed.

**Response:** The DEIS was distributed to the public by mail on November 15, 1999. The official comment period began on November 26, 1999 when the Environmental Protection Agency (EPA) filed the notice of availability of the DEIS in the Federal Register. The draft was available to the public for a 90-day comment period ending on February 24, 2000. A news release was issued in November, 1999 announcing the availability of the DEIS for a 90-day public comment period and another news release announcing the dates, times and locations of 35 open houses was also issued in November. Local BLM and FS offices issued news releases locally prior to the open houses in their area. Open houses were held in November, December, and January. In early February, the agencies issued a news release to remind people the comment period would end on February 24, 2000. For additional information see Summary of Public Involvement section in Chapter 4 of the FEIS.

**A3 Comment:** Both the BLM and FS regulations (43 CFR 8341.2 and 36 CFR 295.2 and 295.5) allow closures and restrictions in all circumstances when undue damage and/or destruction occurs from any type of conveyance, including OHV's. In view of the fact that you already have the authority to

accomplish control and restrictions on the type of travel and areas that are used, I see no need for again going through the costly and long drawn out procedure of EIS plan amendments.

**Response:** The FS and BLM regulations, such as 36 CFR 219 and 295 for the FS and 43 CFR 8340 for the BLM, have given the agencies the authority and direction to plan, monitor and manage the use of off-road vehicles on public land. If vehicles traveling off roads or trails are causing considerable adverse effects to soil, water, wildlife, vegetation, or are causing user conflicts, the agencies have the authority to immediately close areas, roads or trails. This authority has been used over the years in a number of areas but is generally done through site-specific planning with public involvement. Designation of areas as open, limited/restricted, or closed to OHV's is accomplished through the resource management planning or forest planning processes. See Chapter 1, Background section.

**A4 Comment:** It is our understanding that if Alternative 2 is adopted the next logical activity that the FS and BLM would implement is the establishment of travel management plans. It is our position that travel management plans should be established at the District level because employees, county governments, and forest users have the best information available to make informed decisions concerning management practices of our valuable resources.

**Response:** After the plan amendment is completed, the BLM and FS would continue to develop travel management plans for geographical areas at the local level (BLM field offices and FS national forests and grasslands or ranger district offices) with public involvement. See Appendix B for more information on implementation and guidance for site-specific planning.

**A5 Comment:** While proposing on the one hand to allow continued use of currently existing nondesignated roads and trails in all four alternatives, the DEIS proposes on the other hand to prevent further resource damage by eliminating further expansion of motorized routes. This is an open acknowledgment by the agencies that resource damage is occurring now as a result of the prior unauthorized expansion of nondesignated roads and trails. However, the DEIS does not propose to close them immediately to the types of vehicles causing the damage. This is in direct

violation of the immediate closure requirements of 36 CFR 295. In compliance with CFR 295 and 261, we request immediate action to terminate use on user-created routes until analysis on each can be completed to insure compliance with these CFR's.

**Response:** Under BLM regulations (43 CFR 8341.2(a)) and FS monitoring of the effects of vehicle use off forest development roads (36 CFR 295.5), the authorized officer must determine that off-road vehicles are causing or will cause considerable adverse effects. Neither agency has information that vehicle travel on all user-created roads and trails are causing or will cause considerable adverse effects. This authority has been used numerous times over the years in a number of areas but is generally done through site-specific planning with public involvement.

**A6 Comment:** The DEIS is almost silent on several classes of OHV's. The DEIS, page 3, states that the purpose of the EIS is to address the impacts of wheeled vehicles including four-wheel drive vehicles and sport utility vehicles. They are never discussed in the EIS. Also, what happened to trail motorbikes (those not registered for highway use).

**Response:** The EIS and plan amendment addresses motorized wheeled vehicles (motorcycles, four-wheel drive vehicles, sport utility vehicles, all terrain vehicles, etc.). Motorcycles includes trail motorbikes. The EIS and plan amendment discusses cross-country travel by motorized wheeled vehicles, which refers to all of those discussed on page 3 of the DEIS. A definition of motorized wheeled vehicles has been included in the FEIS Glossary.

**A7 Comment:** By giving ATV users the virtual right to drive most anywhere, this designation does nothing to prevent the abuses of ATV's, and provides no legal basis by which abusive off road use is defined under penalty of law.

**Response:** Under current management, ATV's or any motorized wheeled vehicle is allowed to travel cross-country in areas designated as open seasonally or yearlong, approximately 16 million acres. Under Alternative 2 in the DEIS, motorized wheeled cross-country travel would be prohibited with some exceptions. This would reduce cross-country driving as discussed on pages 28 and 29 of the DEIS and see Chapter 2, Alternative 5 (Preferred Alternative) of the FEIS.



For the BLM, designation of public lands as limited is provided for under 43 CFR 8342.2. Designation of public lands is accomplished through the BLM's resource management planning or amendment process such as this EIS and plan amendment. For the FS, designation of NFS lands as restricted is provided for under 36 CFR 295.2 and is accomplished through continuing land management planning. To be legally enforceable, these area designations must be published or posted as required by 43 CFR 8342 for the BLM or 36 CFR 261.51 for the FS.

- A8** **Comment:** There needs to be more brought out concerning the interim period of time until site-specific planning is complete.

**Response:** This EIS and plan amendment is a programmatic document addressing motorized wheeled vehicle use in areas that are currently designated as "open" seasonally or yearlong to OHV's. It would amend forest plan and resource management plan "open" designations and change the designation to "limited" or "restricted." This EIS and plan amendment would also provide management guidance for these areas until the subsequent preparation of site-specific plans where roads and trails would be designated and management guidance could be modified as discussed under a specific alternative.

For example, the Preferred Alternative (Alternative 5) in the FEIS, motorized wheeled cross-country travel would be permissible for a distance up to 300 feet of roads and trails for camping; however, in some areas this distance could be modified through subsequent site-specific planning. In the interim period, until site-specific planning is completed in an area, the distance would be 300 feet but this could change with site-specific planning.

All areas affected by the EIS and plan amendment would be prioritized based on several factors as discussed in Appendix B of the FEIS. Site-specific planning on 16 million acres is not feasible within a 24-month time period. As with any management plan, funding levels may affect the timing and implementation of management actions and project proposals, but will not affect the decisions made in the plan amendment.

- A9** **Comment:** How can three different states be tied into a blanket plan to restrict access? Three states cannot and should not be governed by a single set

of policies. Each state and area within the state should be under the control of local agencies and people so local needs can be considered and adopted.

**Response:** Oftentimes, BLM and NFS lands are intermingled, and the agencies believe it is better customer service to have consistent policies across agency boundaries. The analysis area was also chosen because it aligns well with the BLM Montana State Office jurisdictions and fairly closely with the Northern Region of the FS without splitting state boundaries significantly. After the plan amendment is completed, the BLM and FS would continue to develop site-specific plans for geographical areas at the local level with public involvement.

- A10** **Comment:** The DEIS states that resource conditions, including vegetation, watershed and wildlife habitat, do not warrant prohibition of OHV use on all public lands, including all roads and trails. How did the FS and BLM arrive at this conclusion?

**Response:** One alternative eliminated from detailed study would close all areas (or prohibit OHV use on all public lands), including all roads and trails, to OHV's. The BLM and FS recognize in their respective resource management plans and forest plans, EO's, policy, and manual direction, that OHV use is a valid recreational activity.

Neither agency has information that vehicle travel in all areas or on all user-created roads and trails is causing or will cause considerable adverse effects. The BLM and FS realize that impacts from motorized wheeled cross-country travel may be considerably different across Montana, North Dakota, and South Dakota. Problems are generally less where topography and vegetation physically limit motorized wheeled cross-country travel or where site-specific planning has restricted use. Over the years, random use in open areas has created trail networks in portions of the analysis area. Some of this use has occurred in riparian areas and on highly erodible slopes. For further information see Chapter 1, Purpose and Need of the DEIS.

With an increase of OHV use, the BLM and FS have observed, in some areas, the spread of noxious weeds, soil erosion, damage to cultural sites, user conflicts and disruption of wildlife and wildlife habitat. Some of these areas include: White-tail/Pipes tone area between Butte, Boulder and

Whitehall, Montana; North Hills area north of Helena, Montana; Argent area at the south end of the Pioneer Mountains; an area near Tach Mountain in North Dakota; areas in the Big Belt Mountains; a portion of the Continental Divide National Scenic Trail along the east side of the Nevada Mountain Roadless Area; Badger-Two Medicine area; and the southern edge of the Little Belt Mountains.

- A11 Comment:** The EIS should provide a rationale for selecting the preferred alternative. The factual information and research underpinning the recommendations contained in the EIS are insufficient to support those recommendations.

**Response:** A discussion on selection of the Preferred Alternative is included at the end of Chapter 2 in the FEIS and in the FS Record of Decision.

- A12 Comment:** Executive Order 11644 states, “The agency shall monitor the effects of the use of off-road vehicles on land under their jurisdictions.” Monitoring baseline or future conditions is not adequately discussed in the draft EIS and should be included as part of this analysis.

**Response:** Monitoring of OHV travel at BLM and FS offices indicates that problems exist where unrestricted motorized wheeled cross-country travel is allowed. Many units have begun or completed site-specific planning. Most notable efforts are the Elkhorn Mountains near Helena, Montana and the Whitetail-Pipes tone area near Butte, Montana. BLM and FS monitoring showed a need for the EIS and plan amendment. For additional information, see pages 3 and 4 of the DEIS. Monitoring is also discussed in Appendix B of the DEIS and FEIS.

- A13 Comment:** Additional discussion should be added in the Purpose and Need section to address society’s growing need for a diversity of recreation, what recreation means to all of us, the need to maintain existing motorized recreation opportunities and the need to create new opportunities for motorized recreationists.

I carefully reviewed the BLM’s regulations for managing OHV recreation (43 CFR 8340-8343). These regulations provide comprehensive direction for not only implementing the EO’s (11644 and 11989), but also for managing OHV use across a broad spectrum of recreation activities and resource needs. The FS and BLM should

incorporate positive goals into the FEIS before pursuing the regulations outlined in the draft alternatives.

**Response:** Under the Background section in Chapter 1 of the DEIS, the BLM and FS recognize in their respective resource management plans and forest plans, policy, and manual direction, that OHV use is a valid recreational activity when properly managed. Also, under the Scope of the Analysis section in Chapter 1 of the DEIS, the BLM and FS recognize that through site-specific planning the opportunity exists to identify areas for additional trails, trail improvement, or specific areas where intensive OHV use may be appropriate to meet recreational needs.

- A14 Comment:** On page i, and again on page 3, the DEIS speaks to the plan amendments with very little information on exactly how the plans will be amended. Where are these various resource and management plans outlined? How will this action change current plan goals and objectives for OHV management? Will the related Management Area prescriptions change, and what effect will this have on future management options?

**Response:** This EIS and plan amendment would amend the 18 BLM and FS plans displayed in Table 1.1 of the FEIS. The BLM and NFS lands affected by this proposal are those lands currently designated open seasonally or yearlong to motorized wheeled cross-country travel. This amendment would not change the current limited/restricted yearlong or closed designations, or designated intensive off-road vehicle use areas. Under the Preferred Alternative in the FEIS, those lands currently open to motorized wheeled cross-country travel would be designated limited or restricted yearlong. This EIS and plan amendment would also provide management guidance for these areas until the subsequent preparation of site-specific plans where roads and trails would be designated and management guidance could be modified as discussed under the Preferred Alternative.

- A15 Comment:** The National Environmental Policy Act (NEPA) needs to guide the process involved with the interagency plan amendment on OHV use. An agency thus has a duty to study all alternatives that appear reasonable and appropriate for study as well as significant alternatives suggested by other agencies or by the public during the comment period.

**Response:** Under the regulations for implementing NEPA, the agencies shall “rigorously explore and objectively evaluate all reasonable alternatives, and for alternatives which were eliminated from detailed study, briefly discuss the reasons for their having been eliminated.” (40 CFR 1502.14(a)). The DEIS presents the No Action Alternative and four other alternatives for management of OHV’s on public lands administered by the BLM and FS that are currently designated open seasonally or yearlong and open to motorized wheeled cross-country travel. The alternatives address area designations and provide direction for subsequent site-specific planning. The DEIS also addressed several other alternatives that were eliminated from detailed study. The reasons for these alternatives being eliminated are discussed on pages 9, 10, and 11 of the DEIS.

**A16 Comment:** A recent Montana Federal District Court case, *Montana Snowmobilers Assn v. Wildes*, emphasized 1) that errors in travel maps are governed by relevant forest plan standards under the National Forest Management Act, and 2) that ORV closures made by the forest plan are enforceable without further NEPA analysis. I have reviewed all National Forest Plans for the national forest units within the state of Montana and the Custer NF in south Dakota and North Dakota. None of those plans authorize the creation of user-created trails. A few of the plans authorize the designation of motorized use areas on the travel maps or in the plan (e.g., Lewis and Clark NF), however, use outside those areas off of designated open trails and roads is not authorized. Therefore, closure of any area not affirmatively designated as an open area by an area designation (not designation of an authorized trail or road for ORV use within a management area) to user-created trails is simply plan enforcement without the need for more site-specific NEPA analysis. Resource Management Plans under the Federal Land Policy and Management Act are governed by similar rules. FLPMA provides that the BLM shall “develop, maintain and when appropriate, revise land use plans which provide by tracts or areas for the use of the public lands.” The RMP’s I have reviewed do not authorize the creation of user-created trails. At the very minimum, user-created trails outside of areas explicitly designated as open must be closed (this means area designations, not areas containing designated roads or trails where travel has been limited).

**Response:** The BLM and NFS lands affected by this proposal are those lands currently open seasonally or yearlong to motorized wheeled cross-country travel. In areas open to motorized wheeled cross-country travel, the creation of trails through repeated use is not considered criminal or willful unless construction or maintenance activities are occurring. The BLM and FS have the authority to immediately close areas or trails where considerable adverse effects occur to soil, water, wildlife, vegetation, or are causing user conflicts. This authority has been used over the years in a number of areas but is generally done through site-specific planning with public involvement. Additional information on current resource management plan and forest plan direction is provided in Chapter 1 of the FEIS. For additional information, see Response A19.

**A17 Comment:** We do not need any more land shut off to the general public. The road closures continue yearly without comment. The public should be allowed to participate in the process of identifying road and trail systems. Public comments are needed to assist in delineating what routes are to be open to OHV use.

**Response:** After the plan amendment is completed, the BLM and FS would continue to develop travel management plans with public involvement at the local level for geographical areas (i.e. landscape analysis, watershed plans, activity plans). Through site-specific planning with public involvement, roads and trails would be inventoried, mapped, analyzed, and designated as open, seasonally open, or closed.

**A18 Comment:** To meet the rigorous NEPA standards, this entire issue must be completely reformatted premised on totally redirected objectives created by all the public, not just a selected few motorized elements in secret. It is obvious from the proposed process description that neither agency permitted nor intended for the public to identify the real motorized abuse problems and issues of substance and to identify the numerous viable resolutions thereof before both agencies generated their exclusive and fraudulent solution. The alternatives in the DEIS were not developed in an open process. Of the 3,408 comments received during the initial comment period, 68% wanted more restrictions on OHV’s. It is beyond my comprehension how the FS and BLM failed completely to honor these public comments, every alternative is pro-OHV.

**Response:** Public comments during scoping and on the DEIS were used to identify issues to be addressed, necessary analysis to be completed, and alternatives to consider in the process. Substantive comments on a DEIS are further addressed in the final document. The process is not designed to be a voting process, but a way to look for the rationale behind comments, making sure that all possible issues have been analyzed and potential alternatives have been identified for the decision-makers. Public comment is considered along with economic, legal, social and resource issues.

**A19 Comment:** We reiterate the fact that the agencies are mistaken in their assertion that site-specific NEPA must be conducted in order to close nonsystem roads. We contend that there was never any NEPA done to open these roads. When these routes were created, they became illegal on NFS lands. That should have been the time to conduct NEPA analysis. It is wrong to state that site-specific NEPA must be done to close illegal motorized trails.

**Response:** The BLM and NFS lands affected by this proposal are those lands currently open seasonally or yearlong to motorized wheeled cross-country travel. These lands were designated open or limited/restricted seasonally through each agency's planning and environmental review processes consistent with Federal Land Policy and Management Act (FLPMA), National Forest Management Act (NFMA), and NEPA. The resource management plans and forest plans that would be amended by this EIS and plan amendment are displayed in Table 1.1 of the DEIS.

For the FS, constructing, placing or maintaining any kind of road or trail is prohibited without a special use permit. In areas that allow motorized wheeled cross-country travel, the creation of trails through repeated use is generally not considered criminal or willful unless construction or maintenance activities are occurring.

For the BLM, in areas that allow motorized wheeled cross-country travel, the creation of roads or trails through repeated use is considered casual use. Casual use means activities involving practices that do not ordinarily cause any appreciable disturbance or damage to the public lands. However, to construct or maintain a road or trail on public land requires a right-of-way or temporary use permit.

**A20 Comment:** First, as you stated in your public statement, this proposal will not affect western Montana greatly because most of the land is wooded and not conducive to off-road travel. If this is true, then why was this land included in your request. If it really did not or would not affect the area, then there was no need to include it in the proposal.

**Response:** The BLM and NFS lands affected by this proposal are those lands currently open seasonally or yearlong to motorized wheeled cross-country travel. This includes lands in western Montana. Alternative 3 in the DEIS would leave lands in western Montana open to motorized wheeled cross-country travel. Preliminary analysis indicated that even though a significant amount of public lands are open to motorized wheeled cross-country travel in western Montana, current technology of OHV's generally has limited the expansion of user-created routes because of relative steepness and vegetation. However, this technology could change in the future. Problems exist in western Montana where unrestricted motorized wheeled cross-country travel is allowed and Alternative 3 was not identified as the preferred in the DEIS.

**A21 Comment:** The reason that "only a site-specific inventory would enable the agencies to determine the impacts, suitability and appropriateness of each individual road or trail" is more an argument for closing these trails than it is for leaving them open. The fact that this analysis would be difficult does not alleviate the agencies' burden of considering it.

The agencies have fundamentally misunderstood the importance of this lack of knowledge under the National Environmental Policy Act, 42 U.S.C. 4321 et seq., (NEPA), in at least two distinct ways. First, the agencies' uncertainty regarding the location and the extent of current motorized use cannot, under NEPA, preclude consideration of the alternative most protective of natural resources - limiting all motorized travel to existing roads and designated motorized trails. Second, NEPA requires the agencies to acknowledge and account for this uncertainty in their discussion of all alternatives in which that uncertainty could pose adverse environmental effects; in the DEIS, they have failed to do so.

While the absence of a site-specific inventory of user-created routes may affect the agencies' evaluation of nonenvironmental impacts resulting from

those routes' closure, that uncertainty does not prevent, or excuse, the agencies from meeting NEPA's requirements. Neither section 102(2)(B) or (C) (of NEPA) can be read as a requirement that complete information concerning the environmental impact of a project must be obtained before action may be taken.

The agencies' discussion in the DEIS of the environmental impact of allowing continued travel along user-created trails displays a corresponding misunderstanding of NEPA's basic requirements. Every alternative proposed within the DEIS would allow travel along existing user-created trails. The location, number, and use of such trails constitute information "relevant to reasonably foreseeable significant impacts" on the environment. 40 CFR 1502.22. According to the agencies' discussion of "Alternatives Eliminated from Detailed Study," however, information as to how many such trails exist, where they lie, or how many users travel along them is not available. See DEIS, page 9. That information is crucial to any assessment of the environmental impacts of allowing continued travel along those trails.

**Response:** The EIS and plan amendment must briefly discuss the reasons for eliminating alternatives from detailed study (40 CFR 1502.14(a)). As discussed in the DEIS, an alternative considering forest development roads and trails and BLM designated routes was eliminated from detailed study because it does not meet the purpose and need of the proposal. The purpose and need of the proposal is to amend forest plan and resource management plan OHV area designations to provide direction that would avoid further resource damage, user conflicts, and related problems, including new user-created roads and trails, associated with cross-country OHV travel until subsequent site-specific planning is completed. To meet the purpose and need of this proposal, the decision needs to be timely and the level of analysis needs to be commensurate with a broad-level document of this type. Completion of a site-specific inventory would affect the timeliness of a decision on area designations and is not necessary in making a decision on area designations for public lands as open, restricted/limited or closed to motorized wheeled cross-country travel.

Neither the BLM nor FS, through this EIS and plan amendment, are considering section 102(2)(B) or (C) of NEPA as a requirement that complete information concerning the environmental im-

pacts of a change in OHV designations from "open" to "limited/restricted" must be obtained before action may be taken. As discussed in the DEIS, given this is a programmatic document, the effects are estimated for the three-state area and the quantified effect levels should be considered relative, not absolute. The level of detail in the environmental consequences includes information necessary to support and clarify the impact analysis. For additional information, please see pages 4 and 9 of the DEIS.

Incomplete or unavailable information relates to the evaluation of reasonably foreseeable significant adverse effects when that information is essential to a reasoned choice among alternatives (40 CFR 1502.22). This applies to those alternatives analyzed in the EIS but does not apply to those alternatives which were eliminated from detailed study.

**A22**

**Comment:** The DEIS is not consistent with the FS's current travel management scheme. The FS currently has a scheme for managing all motorized use. This scheme is based on the requirements of NFMA, the CFR and the agencies' own policy manuals. Under this scheme all motorized travel and motorized travel restrictions fall under the category of areas or routes; there are either open areas where cross-country travel is allowed or closed areas where travel is allowed only on designated routes. All forest travel planning on every national forest and grassland follows this same basic scheme. The preferred alternative would close areas while leaving undesignated routes within those areas open to motorized use. This creates a third, very confusing, category of closed areas where travel is allowed off designated routes. This is a significant and unprecedented departure from the agencies' well established travel planning that is without any statutory or regulatory authority.

**Response:** There are three categories for the designation of NFS lands for specific types of off-road vehicle use: open, restricted, or closed. On NFS lands, the continuing land management planning process is used to allow, restrict, or prohibit use by specific vehicle types off roads (36 CFR 295.2(a)). A "closed area where travel is allowed off designated routes" is considered a restricted area. This is consistent with the FS definition of restricted as defined in FS Manual 2350.

**A23** **Comment:** The preferred alternative violates the 1972 and 1977 EO's governing the use of off-road vehicles on all federal public lands. The DEIS fails to assess how effectively each alternative provides for immediate and long-term protection of public lands and resources as required by EO 11644.

**Response:** The purpose of EO 11644 is to "establish policies and provide for procedures that will ensure that the use of off-road vehicles on public lands will be controlled and directed so as to protect the resources of those lands, to promote the safety of all users of those lands, and to minimize conflicts among the various uses of those lands." As required by Section C of EO 11644, the FS and BLM developed and issued regulations "to provide for administrative designation of specific areas and trails on public lands on which the use of off-road vehicles may be permitted, and areas in which the use of off-road vehicles may not be permitted." Designation of areas as open, limited/restricted, or closed to OHV's must be made through the planning process such as this EIS and plan amendment. Through the EIS and plan amendment process, the agencies can specify in which areas OHV's may be permitted consistent with the EO's and regulations.

**A24** **Comment:** I am a little confused about this plan's position on R.S. 2477 roads. Could you please clarify your exact position? Few, if any, inventories of R.S. 2477 rights of way exist on 8.5 million acres of BLM land. All roads, trails, and ways existing in 1974 on BLM lands qualify as R.S. 2477 right-of-way. Area restrictions cannot proceed until these are identified.

**Response:** Under the Preferred Alternative in the FEIS, the BLM and FS would restrict motorized wheeled cross-country travel yearlong. These areas would be designated limited or restricted under BLM and FS regulations (43 CFR 8342 and 36 CFR 295). The BLM and FS do not have a complete road inventory. Through subsequent site-specific planning, the BLM and FS would designate roads and trails for motorized use. Our proposal would not diminish any rights under Revised Statute 2477 (R.S. 2477).

Section 8 of the Act of July 26, 1866, (R.S. 2477) provided: "The right of way for the construction of highways over public lands, not reserved for public uses, is hereby granted." Although this statute, 43 U.S.C. 932 (R.S. 2477), was repealed by Title

VII of the Federal Land Policy and Management Act of October 21, 1976, many rights-of-way for public highways obtained under the statute exist or may exist on lands administered by the BLM and FS. The Secretary of the Interior has requested that the BLM defer any processing of R.S. 2477 assertions except in cases where there is a demonstrated, compelling, and immediate need until such time as the Department completes final rulemaking on the statute. The FS has had a moratorium against processing any R.S. 2477 assertions since September 25, 1997.

**A25** **Comment:** For decades, the "forty-inch rule" prohibited off-road vehicles wider than 40 inches from driving on national forest trails. "The 40 inch rule" was designed to accommodate the handlebars of a trail motorcycle, but prohibit larger vehicles. Vehicles wider than 40 inches, such as today's ATV's, could drive on roads, not trails. The EIS should include an alternative which would restore trails to their original, historic purposes as quiet paths for the passage of people and animals. An example of FS and BLM pro-motorized official attitude is the arbitrary and illegal FS travel plans issued in 1988 and 1997 which simply, illegally, accommodated ever increased motorized equipment size, from bikes to 3-wheelers, to ATV of 40-inch maximum to 50-inch size.

**Response:** This was addressed on page 7 of the DEIS. The "50-inch" policy only applies to forest development trails, commonly called "System Trails." This EIS and plan amendment does not address specific trails. Rather, it addresses motorized wheeled cross-country travel through area designations; therefore, the 50-inch policy for trails is not addressed. Specific types of use would be addressed during site-specific planning.

**A26** **Comment:** The plan is totally unacceptable because the plan legitimizes a vast system of illegal OHV roads. Allowing use on illegal pioneered trails is an enormous error and this review should be restarted on an impartial and legal basis. You are condoning and legalizing illegal, damaging and abusive random OHV trails and roads all over the country. By allowing damage such as illegal trails to become part of the public trail system, the interagency proposal defies public input, rewards illegal activities, and skirts the real OHV issues.

**Response:** The BLM and FS have a number of authorities that allow them to manage OHV's and user-created roads and trails.

For the FS, constructing, placing or maintaining any kind of road or trail is prohibited without a special use permit. In areas that allow motorized wheeled cross-country travel, the creation of trails through repeated use is generally not considered criminal or willful unless construction or maintenance activities are occurring.

For the BLM, in areas that allow motorized wheeled cross-country travel, the creation of roads or trails through repeated use is generally considered casual use. Casual use means activities involving practices that do not ordinarily cause any appreciable disturbance or damage to the public lands. However, to construct or maintain a road or trail on public land requires a right-of-way or temporary use permit.

The alternatives considered in this EIS and plan amendment will not change the status of roads and trails in open areas that are currently in use. However, until inventory is completed under site-specific planning, these roads and trails will remain as unclassified (they do not become part of the trail system) until it is determined whether they should become part of the BLM and FS permanent road and trail system or need to be permanently closed. The BLM and FS have the authority to immediately close areas and trails if vehicles traveling off road or trail are causing considerable adverse effects to soil, water, wildlife, vegetation, or are causing user conflicts. For additional information, see pages 6 and 7 of the DEIS.

**A27 Comment:** I do not believe Alternative 2 adequately protects these lands. Alternative 2 should not be put into place during the so called interim period while you decide what to do. The site-specific planning can take a very long time and in the meantime more and more of these OHV roads are being established. By leaving motorized traffic open on all previously existing track, it has encouraged criminal behavior on the part of OHV riders. OHV riders have actively sought to leave as many tracks as possible to establish the history of use referred to in the DEIS.

**Response:** Currently, about 16 million acres of public land are open to motorized wheeled cross-country travel either seasonally or yearlong. The alternatives considered in this EIS and plan amendment would not change the status of roads and trails in open areas that are currently in use, but would prohibit motorized wheeled cross-country travel. However, until inventory is completed

under site-specific planning, these roads and trails would remain as unclassified until it is determined whether they should become part of the BLM and FS permanent road and trail system or need to be permanently closed. The agencies recognize there would continue to be some intentional and unintentional cross-country travel. The BLM and FS have the authority to immediately close areas and trails if vehicles traveling off road or trail are causing considerable adverse effects to soil, water, wildlife, vegetation, or are causing user conflicts. For additional information, please see pages 6 and 7 of the DEIS.

Appendix B deals with timeliness by describing a priority setting process. Site-specific planning is already underway in a number of areas, such as the Little Belts on the Helena National Forest, Miles City Field Office, Lewis and Clark National Forest and others.

**A28 Comment:** The idea is good, but no alternative will be effective in stopping OHV damage because existing user-created roads will remain open. The DEIS fails to solve the problems identified in the purpose and need and conflicts with current CFR's (including 36 CFR 295.2). No site-specific analysis exists which supports opening up user-created trails to OHV's.

**Response:** The BLM and NFS lands affected by this proposal are those lands currently open seasonally or yearlong to motorized wheeled cross-country travel. These lands were previously addressed in resource management plans and forest plans which designated the lands as open to OHV use through an EIS process consistent with the BLM and FS planning regulations. This EIS and plan amendment would amend those plans and designate the lands as limited or restricted yearlong. For additional information on user-created roads and trails, see Response A26.

**A29 Comment:** The FS and BLM appear bent on totally circumventing the NEPA process and the host of mandatory associated legal requirements of e.g., ESA, Clear Water Act, Wilderness, Native American cultural resources, wildland, wildlife, watersheds, public safety issues, etc., with this generic EIS and plan amendment process which specifically intends to preclude analyzing numerous directly involved issues such as snowmobiles, the thousands of miles of illegally-created roads and trails by motorized equipment, abuses on federal land over the past 30 years, and a host of

directly associated natural resource problems created by motorized equipment and use on federal land. This transparent and aborted process in no manner addresses the cumulative effects and significant factor requirements mandated by the NEPA and other federal legislation and policy to address and resolve the numerous publicly recognized problems generated by the total lack of enforcement by both the FS and BLM of rampant motorized equipment abuses on our public land over the past three decades.

To selectively exclude and ignore issues and problems that both the FS and BLM believe are simply too hot to handle is specifically outside the mandates of NEPA, which requires that a cumulative effects analysis be done within the geographic scope (27 million acres) of the proposed action. In this case, the EIS specifically must include all effects of snowmobiles and all other motorized equipment and abuses thereby. To selectively exclude parts of the motorized problem is simply illegal, per NEPA, and nonproductive.

The cumulative effects analysis is totally inadequate. Most of the information is so general that it could apply to almost all activities which take place on public lands. The questions which need to be answered are: 1) What are the specific direct and indirect effects of closing some 15 million acres to cross-country OHV travel; 2) What are the cumulative effects of restricting cross-country, OHV travel under this proposal, coupled with past actions of closing roads, trails, and areas to OHV use, and what are the cumulative effects of existing OHV closures and your proposal on the listed resources?

**Response:** The EIS and plan amendment is intended to be a programmatic document with a level of specificity and analysis that is broad in nature covering three states and two agencies. Since this is a programmatic EIS, effects are estimated for the three-state area. The quantified effects levels in the DEIS should be considered relative, not absolute. The cumulative effects are addressed under each resource section under Chapter 3, Affected Environment and Environmental Consequences, of the DEIS.

This proposal addresses motorized wheeled vehicles such as motorcycles, ATV's, four-wheel drive vehicles, etc. As discussed in the DEIS on page 17, an alternative to include snowmobile use was eliminated from detailed study because the

issues involving snowmobiles are different enough to potentially warrant a separate analysis. Since snowmobiles are usually driven on a layer of snow, their environmental effects are different than those of motorized wheeled vehicles (i.e. erosion, sedimentation, weed spread), which come into direct contact with the ground.

**A30 Comment:** What is causing problems is the willful ignoring of scientific bases for improving the health of our public lands. The FS and BLM have a legal obligation to protect the health of our public lands.

**Response:** The BLM and FS management of public lands and NFS lands is based on the Federal Land Policy and Management Act and the National Forest Management Act along with other applicable laws and regulations. Management specific to OHV's is provided by EO (EO) 11644 and EO 11989 along with each agencies regulations. This EIS and plan amendment and any subsequent site-specific planning will be consistent with those laws and regulations.

**A31 Comment:** The topic of cross-country travel allowed currently is very misleading to uneducated public. Because currently cross-country travel is not allowed in most of the Gallatin Valley forests, an (R) on the maps means restricted and most of the public is not aware of the map allocations and restrictions.

Existing maps for Northwest Montana are in error. There are no area closures in the North Fork of the Flathead except for Big Mountain and Big Creek exist.

The DEIS maps which show areas closed on the Flathead National Forest are incorrect. The maps are such a large scale it is difficult to see where these areas are, but all the areas north of Whitefish, Montana shown as closed appear to be based on the Forest Plan Roadless Dispersed Recreation, MA-2. Any portion of the Flathead National Forest shown as closed based on MA-2 is incorrect as documented by the Regional Forester's Responsive Statement to MWA Forest Plan Appeal.

**Response:** This EIS and plan amendment does not address lands currently closed to motorized wheeled cross-country travel yearlong by current resource management plan and forest plan direction. These lands are displayed on Map 1 in the DEIS.



The maps have been corrected with respect to errors in northwest Montana. The maps reflect current resource management plan and forest plan direction (No Action) and also display the other alternatives.

- A32 Comment:** I find the proposed amendments of opening all 4 wheel tracks to ATV's very misleading unless this statement means all logging roads now gated, all old jeep roads now gated are to be opened.

Your document fails to display and discuss the fact that 66% of NFS lands and 40% of the BLM lands are already effectively closed to OHV use. One has to use Tables 1.2 and 2.1 to obtain this information. Granted some of these restrictions are seasonal but most seasonal restrictions are for spring/summer/fall seasons which effectively closes the area to OHV's.

I am dismayed that you label the baseline as the no action alternative. Actually, plenty of action has taken place over the years relating to OHV use in forest plans and resource management plans. In fact, southwestern Montana has in place a very detailed OHV plan covering Federal and State land which is more restrictive in some areas and at certain times of year than any of your alternatives. Now, this plan covers a pretty good chunk of real estate yet I find no mention of it in your EIS.

NEPA requires the use of the best available information. You have failed to comply with this requirement. Because this is a Forest Plan amendment, you used an interpretation of how each Forest Plan Management Area dealt with OHV use. This is displayed in Table 3.1. However, this is not the best information and it is not what has been implemented on-the-ground. Since your proposal would affect only those acres that are presently open to cross-country OHV use and those that are partially open to such use, you need to discuss and display acres partially open to such use, you need to discuss and display current travel plan restrictions on cross-country, OHV travel. This could be the current situation or the no action alternative. The definition of closed or restricted areas (DEIS, page 99) states that closed areas include areas closed by 36 CFR 261 or by law. This is not the case. Many areas that are currently closed or restricted under 36 CFR 261 were not included in your analysis. This would make a great change in the acres of being affected by your proposal.

**Response:** This EIS and plan amendment would amend the BLM and FS plans displayed in Table 1.1. Under the preferred alternative in the DEIS, those lands currently open to motorized wheeled cross-country travel either seasonally or yearlong would be designated limited or restricted. The plan amendment would change the area designation. The BLM and NFS lands affected by this proposal are displayed in Table 3.1 and lands affected by each alternative are displayed in Table 3.2. This information is based on current resource management plan and forest plan direction.

Some BLM field offices and national forests have completed site-specific planning and implementation of current resource management and forest plan direction. This EIS and plan amendment would not change those site-specific planning decisions. Existing road and trail restrictions are not affected by this decision.

- A33 Comment:** We do not believe that any of the alternatives adequately address our concerns that the Continental Divide National Scenic Trail should be managed as a nonmotorized route, as contemplated by the National Trail System Act and FS policy. In view of this policy as well as the legal requirements of the National Trails System Act, an exception should be added to the selected alternative, to read: "Motorized travel would not be permitted on any segment of the Continental Divide National Scenic Trail that has been constructed since designation of the trail route in 1989."

**Response:** A portion of the Continental Divide National Scenic Trail is within the affected environment of this EIS and plan amendment. The purpose of this EIS and plan amendment is to address motorized wheeled cross-country travel in areas currently open seasonally or yearlong. This EIS and plan amendment does not address specific roads and trails. Through subsequent site-specific planning the BLM and FS would designate roads and trails for motorized use.

- A34 Comment:** In the DEIS, page 4 it stated, "The qualified effect levels in the draft EIS should be considered relative, not absolute." What qualified effects? There is not one quantified effect in any of the following resource effects: visual quality; recreation, inventoried roadless, recommended wilderness, wilderness study, social, cultural, paleontological resources, vegetation and weed analysis, wildlife, aquatics, air quality, and miner-

als. The fact that you are under a time/budget constraint does not mean that the analysis can not be qualified or discussed in reasonable terms.

**Response:** The DEIS is intended to be a programmatic document with a level of specificity and analysis that is broad in nature covering three states and two agencies. Since this is a programmatic EIS, effects are estimated for the three-state area. The quantified effect levels in the DEIS should be considered relative, not absolute. Chapter 3 of the DEIS describes the affected environment for each resource followed by environmental consequences for each alternative evaluated in detail. The level of detail in Chapter 3 for each resource includes information necessary to support and clarify the impact analysis. Most of the analysis is qualified rather than quantified because the analysis is programmatic covering three states. Where the analysis is quantified, the effects should be considered relative to each alternative rather than absolute values, such as Figure 3.2 which displays the risk of invasive weed spread and the Economics section.

**A35 Comment:** The effect analysis is very misleading. Most of the discussion centers around all OHV use. There is little separation between cross-country OHV use and OHV use on roads and trails. When one reads this section it gives the impression that all the negative effects of OHV will be mitigated with this proposal. Did your analysis team not know that only 1% of the effects will be reduced leaving 99% of the effect in place. Most of them didn't write like it. Because 99% of the effects remain is a strong case for dealing with the real problem – OHV use on nonsystem roads and trails.

**Response:** This EIS and plan amendment is intended to be a programmatic document with a level of specificity and analysis that is broad in nature covering three states and two agencies. The BLM and NFS lands affected by this proposal are those lands currently open seasonally or yearlong to motorized wheeled cross-country travel. The purpose and need of this proposal are to amend forest plan and resource management plan OHV area designations to preserve future options for travel management and provide direction that would avoid further resource damage, user conflicts, and related problems, including new user-created roads and trails, associated with cross-country OHV travel until subsequent site-specific planning is completed. Through subsequent site-

specific planning the BLM and FS would designate roads and trails for motorized use. The FEIS also provides a process for addressing other issues during site-specific planning (Appendix B of the FEIS).

It is unknown exactly how many people drive cross-country. This does not refer to those people who just pull off adjacent to a road or trail to park or let someone pass, but to those who actually travel cross-country. Estimates vary up to 10%, depending on location, that people engaged in motorized activities travel cross-country, but recreation specialists and law enforcement personnel estimate when you look at the three-state area from the open grasslands in the east to the heavily forested areas of the west that cross-country travel averages 1% or less of the people engaged in motorized activities. This is a small percentage of the total recreation OHV use, but motorized wheeled cross-country travel does cause problems as identified in the DEIS and FEIS.

**A36 Comment:** The DEIS makes reference in several places that site-specific designation of specific roads and trails is a significant undertaking. We are concerned that this statement will be taken out of context and used by some groups to compel the agencies to prepare an EIS each time site-specific travel management is undertaken. We recommend that the final EIS clarify the meaning of this term and provide guidance as the appropriate level of NEPA analysis for site-specific travel management planning.

**Response:** The EIS and plan amendment has been revised to clarify the meaning of significant undertaking in Chapter 2 of the FEIS. The appropriate level of NEPA analysis (environmental assessment or EIS) for the site-specific planning would be determined at the local BLM field office or national forest or grassland.

**A37 Comment:** We would be supportive of a management plan that closed specific areas, or for specific time periods based on resource or habitat protection. However, our view of the other alternatives is that they may even be in conflict with other laws and regulations which guarantee access to public lands especially by disabled and aging citizens.

**Response:** Under the preferred alternative in the DEIS, motorized wheeled cross-country travel would not be allowed on public lands currently open seasonally or yearlong. The preferred alter-

native would not restrict access to public lands but would restrict cross-country travel. The preferred alternative in the DEIS also allows the local BLM or FS offices the option for an exception for persons with disabilities. In the Preferred Alternative in the FEIS, disabled access would be allowed per the Rehabilitation Act of 1973 or as provided for in subsequent site-specific planning. For additional information, please refer to the Management Common section of Chapter 2 in the FEIS.

- A38 Comment:** In the DEIS, page 23, paragraph 2, last sentence; regulations require that ... No CFR or other authority is given.

**Response:** The citation has been added to the sentence in the FEIS.

- A39 Comment:** A change in management direction would be accomplished through an EIS and an interagency plan amendment. Specifically, it is obvious that to create an interagency plan amendment there must be an existing plan to amend, a parent document which could be modified by an amendment. I do not believe that the FS or BLM have independently or cooperatively ever generated such a parent land use (OHV, ORV) management plan(s) per the NEPA process in Montana, which involved the public and specifically addressed the motorized equipment and traffic (ORV) abuses and interrelated problems and issues on federal land in Montana. Instead, we have seen a litany of travel plans and various land use plans which were generated by the FS and BLM by simple fiat, outside required and prudent NEPA process.

**Response:** Each BLM field office, and FS national forest and grassland manages OHV's based on its respective resource management plan or forest plan prepared in accordance with the NEPA process. This EIS and plan amendment would amend the 18 resource management plans and forest plans displayed in Table 1.1 of the FEIS. Each of these resource management plans and forest plans included preparation of an environmental impact statement.

- A40 Comment:** An ATV or snowmobile has not just 20, but at least 300 times the impact upon the land, and upon other users, as its rider would have without the aid of a motor. Large vehicles have proportionately deeper, wider, and even longer-lasting footprints. A big SUV distributes more

than 3,000 times the net force of a hiker on any trail. If we want to become serious about equal access, we must begin to more fully incorporate this quantitative extent of individual user impacts to the land and to other potential users.

**Response:** This EIS and plan amendment is intended to be a programmatic document with a level of specificity and analysis that is broad in nature covering three states and two agencies. The BLM and NFS lands affected by this proposal are those lands currently open seasonally or yearlong to motorized wheeled cross-country travel. The Preferred Alternative would change the designation for these areas from open to limited/restricted yearlong. Through subsequent site-specific planning, the BLM and FS would designate roads and trails for motorized use. At that time, integration of other resource objectives and other types of recreational use would be incorporated along with the extent of individual user impacts.

- A41 Comment:** The 46 Fed. Reg. 18026, 18033 (March 23, 1981) states that "The preparation of an area-wide or overview EIS may be particularly useful when similar actions, viewed with other reasonably foreseeable or proposed agency actions, share common timing or geography. This impact statement would be followed by site-specific or project-specific EIS's." The performance of site-specific travel plans with a 10-15 year window does not fulfill the requirements of NEPA. Site-specific or project-specific EIS's are to follow the overview EIS. A single EIS on multiple projects does not reduce the agency's obligation to fully disclose the environmental consequences of the individual projects. The performance of site-specific travel plans for priority areas at some undetermined future date is inadequate. What is meant by a priority area? Are these areas for which agencies have received complaints of resource damage?

**Response:** The DEIS is intended to be a programmatic document with a level of specificity and analysis that is broad in nature covering three states and two agencies. This EIS and plan amendment would amend the 18 BLM and FS plans displayed in Table 1.1 and change current open seasonally or yearlong designations to limited/restricted yearlong under the appropriate regulations (43 CFR 8342 or 36 CFR 295). After the plan amendment is completed, the BLM and FS would continue to develop site-specific plans for geographical areas consistent with the appropriate

resource management plan or forest plan. These site-specific plans would include environmental review with public involvement. The regulations for implementing NEPA do not require a specific time period for completion of activity plans, or site-specific plans, prepared under a resource management plan or forest plan. The regulations do require an environmental assessment or environmental impact statement with preparation of a site-specific plan, unless that plan is adequately addressed in a previous environmental analysis.

Appendix B in the DEIS includes a discussion of prioritization of travel planning areas. Several factors would be used to determine the priority for site-specific planning. For additional information, see Appendix B of the DEIS and FEIS.

**A42 Comment:** This DEIS is fatally flawed because the Purpose and Need is contrived with false statements without any documented support. The whole approach of this DEIS is a violation of the National Forest Management Act which mandates land use planning to be done in an integrated manner on each national forest. A blanket approach closing all areas to OHV use when there is no problem is a violation of the Multiple Use Sustained Yield Act. This document demonstrates a bias in favor of one segment of the public over another. This is a clear violation of the U.S. Constitution.

**Response:** Forest plans may be amended consistent with 36 CFR 219.10(2)(f). Under the preferred alternative in the DEIS, public lands administered by the FS that are currently designated open seasonally or yearlong to motorized wheeled cross-country travel would be designated restricted yearlong under 36 CFR 295. This is within the definition of multiple use, "which includes that some lands will be used for less than all of the resources" (36 CFR 219.3). In addition, vehicle travel would not be prohibited, or closed, as provided for under 36 CFR 295.

**A43 Comment:** The alternatives are in direct violation of the Montana Environmental Protection Act, as well as the FS Manual. On October 20, 1999, the Montana Supreme Court ruled that "the 'delegates' intention was to provide language and protections which are both anticipatory and preventative." They added that "Our constitution does not require that dead fish float on the surface of our state's rivers and streams before its farsighted environmental protections can be invoked."

Sufficient planning and foresight have not been provided for these areas, and that which does exist, provides nothing but negative results in the event that OHV use is continually permitted in these areas.

**Response:** As discussed on page 3 of the DEIS, about 16 million acres of public land are currently available to motorized wheeled cross-country travel in the analysis area, either seasonally or yearlong, which has the potential to spread noxious weeds, cause erosion, damage cultural sites, create user conflicts, and disrupt wildlife and damage wildlife habitat. Problems do not occur equally throughout the analysis area. Motorized wheeled cross-country travel is generally limited by current technology to areas that are less steep and have more open vegetative communities. Random use in open areas has created trail networks throughout the analysis area. Some of this use has occurred in riparian areas and on highly erodible slopes. The purpose of this EIS and plan amendment is to address the impacts of wheeled OHV travel on open areas that are currently available to motorized wheeled cross-country travel. This would provide direction that would avoid further resource damage, use conflicts, and related problems, including new user-created roads, associated with motorized wheeled cross-country travel until subsequent site-specific planning is completed.

**A44 Comment:** Areas with current seasonal restrictions have already been reviewed and should be excluded from this process.

**Response:** The BLM and NFS lands affected by this proposal are those lands currently open seasonally or yearlong to motorized wheeled cross-country travel based on the forest plans and resource management plan displayed in Table 1.1 of the DEIS. All BLM and NFS lands were reviewed through those plans with some lands designated as open to motorized use. This EIS and plan amendment is the process the agencies must follow when amending those plans and OHV designations. This EIS and plan amendment would not change current site-specific planning in areas limited/restricted seasonally.

**A45 Comment:** The language in EO 11644 and EO 11989 is clear. "Off road" is divided into two categories, "areas and trails." The phrase "areas and trails" is repeated 10 times in EO 11644, and twice in the brief EO 11989. The word "area"

must be interpreted, as an off road space that is not a trail. The EO wording “Areas and trails” is explicit and inclusive. Therefore, allowing OHV use on trails only, is in direct contradiction to both EO’s 11644 and 11989.

**Response:** Under EO 11644 each agency issued regulations to provide for administrative designation of the specific areas and trails on public lands on which the use of OHV’s may be permitted, and areas in which the use of OHV’s may not be permitted. The BLM and FS can specify where OHV’s may be permitted. There are currently six BLM OHV intensive use areas, see Table 3.1 in the FEIS.

- A46 Comment:** The DEIS in its present form is incomplete. The data does not support the conclusion. None of the alternatives, except perhaps the no action alternative, can be supported by this document. The scope must be revised to include analysis and comparison of the impacts of all users. Potential and actual impacts of the nonmotorized community must be discussed in equal depth to that of the motorized community and all, not just selected, data and literature must be used to formulate those discussions as well as the conclusions. What this analysis does reveal is the need to apply the same restrictions to all users, not a need for restriction of only selected users.

**Response:** The management and designation of areas for OHV’s is guided by the EO’s and each agency’s regulations. Designation of areas as open, limited/restricted, or closed to OHV’s must be made through the planning process such as this EIS and plan amendment. Other activities, such as hiking or horseback riding, can be addressed during site-specific planning at the local level without a designation process as long as the activity is in conformance with the respective resource management plan or forest plan.

- A47 Comment:** How is incompatibility shown by the photograph on page 35 of the DEIS. There are no rearing horses or gestures of disapproval. The caption could just as well identify compatibility of use.

**Response:** The photo represents two types of recreation use, horseback riding and riding an ATV, which at times are not compatible uses in some areas. The caption has been revised.

- A48 Comment:** The BLM and FS proposed solution would supersede all lessor federal agency management plans, which require exclusion, control of all motorized equipment, use but have not been enforced. This is illegal piecemealing per NEPA of this massive regional problem, and totally unacceptable as a solution.

The BLM and FS claim “travel plans under development will continue and recent decisions will remain in place”... no change. I do not believe this can rationally and legally be done per NEPA and BLM and FS mandates such as FLPMA, etc. The rational mandated federal management plan policy and law, specifically NEPA, mandates that the parent, larger plan must be first prepared, then subordinate plans on more site-specific areas and subjects are permissible. It cannot be done in reverse order as the FS and BLM intend to do now, e.g., prepare Snowy Mountains Wilderness Study Areas “access EA,” while the parent, larger, state-wide EIS would be prepared and effected in the next millennium

**Response:** The BLM and NFS lands affected by this proposal are those lands currently open seasonally or yearlong to motorized travel. Public lands administered by each agency that are closed to motorized wheeled cross-country travel year-long by current resource management plan or forest plan direction are not included in this EIS and plan amendment. These lands are shown on Map 1 in the DEIS. In addition, each agency has some public lands that are currently limited/restricted seasonally. This EIS and plan amendment would not change the current limited/restricted yearlong or closed designations. Under the preferred alternative in the DEIS, public lands currently designated open seasonally or yearlong would be designated limited or restricted year-long.

Site-specific planning in areas currently limited/restricted can occur consistent with the respective resource management plan or forest plan. Site-specific planning generally does not occur in open areas unless it is accomplished with a plan amendment.

- A49 Comment:** The DEIS violates various provisions of the National Forest Management Act and the Federal Land Policy Management Act by suggesting substantial revisions to recreational use without following requirements for amendment of forest management plans and range management plans.

**Response:** This EIS and plan amendment would amend the BLM and FS plans displayed in Table 1.1 consistent with the BLM regulations for amending land use plans (43 CFR 1610) and with the FS regulations for amending forest plans (36 CFR 291).

**A50 Comment:** The EIS violates provisions of 42 USC Section 4342 (c) iii because it does not adequately address alternatives to the proposed action, and because it does not adequately address impacts of the no action alternative.

**Response:** The purpose of this EIS and plan amendment is to address motorized wheeled OHV travel in areas that are currently designated open to motorized wheeled cross-country travel, given the need to address potential problems such as the spread of noxious weeds, erosion, damage to cultural sites, user conflicts, disruption of wildlife, and damage to wildlife habitat. The alternatives provide for various designations of areas (open, limited/restricted seasonally, or limited/restricted yearlong) with some exceptions for motorized wheeled cross-country travel.

The environmental consequences for each of the alternatives, including the No Action Alternative, are addressed in Chapter 3 of the EIS and plan amendment. The level of detail includes information necessary to support and clarify the impact analysis. For additional information, see Response A15.

**A51 Comment:** The designation of travel routes for motorized vehicle use; the construction of OHV routes and facilities intended to support such use; the upgrading, widening, or other modification of existing facilities or routes; the issuance or reissuance of OHV-related Special Use Permits; and similar projects shall not be categorically excluded from environmental analysis under NEPA.

**Response:** For the BLM and FS, actions that are categorically excluded can be found in Departmental Manual 516 DM 6, Appendix 5 and FS Handbook 1909.15. Categorical exclusions are types of actions that normally do not require the preparation of an environmental assessment or environmental impact statement. Each time a categorical exclusion is used a determination is through a review process.

**A52 Comment:** The citation on page 54 of the DEIS regarding the Sheyenne National Grassland refers to wrong reference in the bibliography.

**Response:** The citation has been corrected.

**A53 Comment:** There are over 900 articles published in scientific journals and other media confirming the destruction that OHV's cause to the environment. David Sheridan's 1979 Off-Road Vehicles on Public Lands, Council on Environmental Quality Report lists 12 pages of authors and subjects on OHV destruction studied and reported on by the Geological Survey. If the Environmental Impact Statement is in fact a study of the environmental impact, why is there no analysis or reference to this scientific information.

**Response:** The 1979 Council on Environmental Quality review of Off-road Vehicles on Public Land is referenced on page 3 of the DEIS along with several other major reviews and reports on OHV use. These reports, along with numerous other studies, articles, and research papers, were used in the analysis for the EIS and plan amendment and are listed in the bibliography.

**A54 Comment:** While the delineation of specific trails may be too ambitious for an interim report, the intention and need to focus on user-created trails in the site-specific phase must be a basic, and prominent, part of the plan. As such, I propose the following. The Purpose and Need statements be rewritten to elevate the concern over user-created trails to equal status with concern over cross-country trails. Language should be included which makes it clear that while cross-country travel is to be addressed in the first phase, user-created trails will be a major focus of the site-specific phase.

**Response:** The Purpose and Need section has been revised to better explain that the proposal is to restrict motorized wheeled cross-country travel on approximately 16 million acres. Subsequently, through site-specific planning, motorized wheeled vehicles would be restricted to designated roads and trails, which will resolve the user-created trails issue.

Under Alternative 5, the Preferred Alternative in the FEIS, it is clearly stated that the BLM and FS would prohibit motorized wheeled cross-country travel yearlong and through subsequent site-specific planning the BLM and FS would designate roads and trails for motorized use.

**A55** **Comment:** I suggest that volunteer help can be used to post lands “Closed Unless Posted Open.” I volunteer to help the government agencies do the posting that should be done to protect our public lands.

**Response:** Specific signing of designated roads and trails as open or closed would be done under site-specific planning. Travel management plans for geographical areas would be done through a public involvement process where individuals and/or organizations could work with the agencies on signing and implementation. Local BLM and FS offices gladly utilize volunteers.

**A56** **Comment:** By the third paragraph on page 1 you are already mentioning “user conflict” and it is mentioned numerous times throughout this DEIS. This document is supposed to be about resource protection, not social engineering and therefore user conflict/user prejudice has no place here. The small amount of cross-country travel as noted on page 25 can hardly cause much “user conflict.” If anything because two recreationists are less like to meet up when traveling cross-country. This is another reason to dispense with “user conflict” as a part of this analysis.

**Response:** Motorized wheeled cross-country travel has the potential to create user conflicts as stated in the EIS and plan amendment. Under EO 11644, when designating areas the agencies shall locate areas to minimize conflicts between off-road vehicle use and other existing or proposed recreational uses of the same or neighboring public lands (Sec. 3(3)). When the agencies designate areas as open, limited/restricted, or closed user conflicts must be considered in the planning process.

**A57** **Comment:** Why aren’t you adopting the Lolo National Forest policy, which is more restrictive than other forests, and have a consistent policy across federal and state lands?

**Response:** The Lolo National Forest has no lands open to motorized wheeled cross-country travel based on the Lolo Forest Plan. Under the preferred alternative in the DEIS, motorized wheeled cross-country travel would not be allowed in areas currently open seasonally or yearlong to cross-country travel on BLM and NFS lands. The long-term goal is designated routes through site-specific planning. This would provide a consistent policy across agency boundaries.

**A58** **Comment:** The alternatives fail to address the purpose and need of the DEIS.

**Response:** The purpose of this EIS and plan amendment is to address motorized wheeled cross-country travel in areas that are currently designated open to motorized wheeled cross-country travel, given the need to address potential problems such as the spread of noxious weeds, erosion, damage to cultural sites, user conflicts, disruption of wildlife, and damage to wildlife habitat. The alternatives address the purpose and need by providing for various designations of areas (open, limited/restricted seasonally, or limited/restricted yearlong) with some exceptions for motorized wheeled cross-country travel.

**A59** **Comment:** Selection of any of the proposed alternatives would establish the current array of system and social routes as the baseline. This could also create a situation that encourages some OHV users to create additional social trails before travel planning is initiated. How do the federal agencies plan to inventory the social routes within the time identified to adequately address future travel planning? If inventories of routes do not exist at the time of decision, how will the agencies know which social trails exist at the time of decision and which are created after the decision? Without adequate baseline information how will you measure if goals are attained? How can enforcement of a decision to prohibit further development of social routes be effective without an inventory of routes?

**Response:** The alternatives considered in this EIS and plan amendment would not change the status of roads and trails in open areas that are currently in use. However, until an inventory is completed under site-specific planning, these roads and trails would remain as unclassified until it is determined that they should become part of the BLM and FS permanent road and trail system or need to be permanently closed. See Response B37. The BLM and FS have the authority to immediately close areas and trails if vehicles traveling cross-country are causing considerable adverse effects to soil, water, wildlife, vegetation, or are causing user conflicts.

Through site-specific planning, roads and trails would be inventoried, mapped, analyzed, and designated as open, seasonally open, or closed. During site-specific planning, the inventory would be commensurate with the analysis needs, issues,

desired resource conditions and resource management objectives for that geographical area. This inventory may include system roads and trails, unclassified roads, nonsystem trails, and roads and trails on existing recreation maps and transportation plans.

Travel management restrictions would be enforced with the resources available to the FS and BLM. Education programs with an emphasis on responsible use of OHV's and other forms of back-country travel are key to the development of natural resource ethics and courteous users.

**A60** **Comment:** I believe that if social and environmental considerations warrant it, that it would be appropriate to treat BLM land somewhat differently than NFS land (perhaps with different timetables or restrictions) or perhaps to have a different approach to this problem in eastern Montana than in western Montana.

**Response:** Oftentimes, BLM and NFS lands are intermingled, and the agencies believe it is better customer service to have consistent policies across agency boundaries. However, the alternatives in the DEIS do account for some differences in geographical areas. Under Alternative 3, lands in the Kootenai, Flathead, and Bitterroot National Forests in western Montana would not be affected. Under Alternative 2 in the DEIS, motorized wheeled cross-country travel by the most direct route would be allowed to retrieve a big game animal that is in possession only in certain areas, primarily central and eastern Montana.

**A61** **Comment:** I think the plan fails to adequately consider the damage to the land; soil erosion, water quality, noise pollution, wildlife harassment. Look at 36 CFR 295.2. None of the following; weed spread, new road development, disruption of wildlife, and damage to habitat are adequately addressed in the current proposal.

**Response:** Chapter 3 of the DEIS describes the affected environment for each resource (including soils, aquatics, social (noise), wildlife, vegetation and weeds, recreation and wildlife) followed by the environmental consequences for each of the alternatives evaluated in detail. The level of detail in Chapter 3 includes information necessary to support and clarify the impact analysis and is commensurate with a programmatic document.

**A62** **Comment:** The agencies need to be reminded that national direction is for watershed protection and restoration goals as their priority. All action alternatives are inconsistent with those goals and contradict the FS Chief's call to limit motorized use to designated routes only. Why does the OHV proposal directly contradict the directive of FS chief Mike Dombeck?

**Response:** The FS Natural Resource Agenda has established a number of goals for maintaining and restoring the health, diversity, and productivity of the land, which include: protect and restore the settings of outdoor recreation, determine the best way to access the national forest, reduce impacts of the existing road system, restore watersheds and provide an avenue to collaborate with communities, the private sector and other agencies. This EIS and plan amendment will help initiate and address several of those goals.

**A63** **Comment:** If this gets through, what is stopping the BLM and FS from closing all roads and trails except for administrative use and never opening them up again?

**Response:** Under the Preferred Alternative, the BLM and FS would prohibit motorized wheeled cross-country travel yearlong. After the plan amendment is completed, the BLM and FS would continue to develop site-specific plans for geographical areas at the local level. Through subsequent site-specific planning, the BLM and FS would designate roads and trails for motorized use. Site-specific planning requires environmental review with public involvement.

**A64** **Comment:** The DEIS falsely portrays the need for this decision as if no site-specific planning or decisions have been done and that OHV use is rampant over the Federal land.

**Response:** This EIS and plan amendment would not change the current limited/restricted yearlong or closed OHV designations, or designated intensive OHV use areas. The BLM and NFS land affected by this proposal are those lands currently open seasonally or yearlong to motorized cross-country travel. Many BLM and FS offices have begun or completed site-specific planning. Efforts include the Elkhorn and Little Belt Mountains on the Helena National Forest and Butte Field Office, portions of the Lewis and Clark National Forest and the Whitetail-Pipestone area



on the Beaverhead-Deerlodge National Forest and Butte Field Office, and certain areas in the Miles City and Lewistown Field Offices. This EIS and plan amendment would not affect those site-specific plans. For additional information, see Response A1.

- A65 Comment:** The DEIS ignores existing federal regulations (CFR 261 and 295) designed to minimize effects of off-road motorized travel. It is unacceptable that the FS would allow use to continue on user created routes in conflict with CFR 295. The regulations are clearly designed to protect wildlife and non-motorized users from conflicts with off-road vehicles.

**Response:** The BLM and FS have a number of authorities that allow them to manage OHV's and user-created roads and trails. For the FS, constructing, placing or maintaining any kind of road or trail is prohibited without a special use permit (36 CFR 261). In areas that allow motorized wheeled cross-country travel, the creation of trails through repeated use is not considered criminal or willful unless construction or maintenance activities are occurring. For additional information see Response A26.

There are three categories for the designation of NFS lands for specific types of off-road vehicle use: open, restricted, or closed. On NFS lands, the continuing land management planning process is used to allow, restrict, or prohibit use by specific vehicle types off roads (36 CFR 295.2(a)). This EIS and plan amendment is the process to amend forest plans to change the designation of areas currently open to a restricted designation.

The FS regulations (36 CFR 295.2 and 295.5) allow for area, road or trail closures where off-road vehicles are causing or will cause considerable adverse effects upon soil, vegetation, wildlife, wildlife habitat, cultural resources, threatened or endangered species, other authorized uses, or other resources. The authorized officer can immediately close the areas affected until the effects are eliminated and measures are implemented to prevent future recurrence.

- A66 Comment:** Because of your persistent insistence to allow continued motorized use of illegal trails, I feel I have both the right and the responsibility to establish a record of my non-motorized use of these same public lands. How can I document my consistent prior use as a non-mechanize user of

public lands and to have that documentation utilized in this analysis.

**Response:** The purpose of this EIS and plan amendment is to minimize future impacts from the increasing use of OHV's on areas that are currently available to motorized wheeled cross-country travel. Subsequent site-specific planning would address OHV use on individual roads and trails, providing for a range of motorized recreation opportunities. Through site-specific planning, issues involving other uses on roads and trails (hiking, horseback riding, mountain biking) could be addressed and specific limitations identified.

- A67 Comment:** In the draft summary of the OHV DEIS, it states that you can send your comments via e-mail. I disagree with this process. Large organizations can simply put people's names on the e-mails without permission. This will generate fraudulent comments. I feel that this method should not be allowed until technology is available to verify the authenticity of the e-mail.

**Response:** Public comments are not designed to be a voting process, but a way to look for the rationale behind comments making sure that all possible issues have been analyzed and potential alternatives identified for the decision-makers. Regardless of whether one or a thousand similar comments are received, if the comment is substantive, it will be addressed in the final document.

- A68 Comment:** Freedom of Information Act requests (FOIA) were denied and therefore we cannot adequately respond to how this plan affects multiple uses. Why was the FOIA denied?

**Response:** The FOIA referenced was received on January 13, 1999 from the Montanans for Multiple Use. The agencies did respond to this FOIA in letters dated February 5. The agencies' response was not a denial, it was a request for further clarification in order to answer the request efficiently and to determine if a fee waiver was appropriate. The concluding paragraph of the agencies' response letter states, "We will not proceed further with your request until we hear from you." The agencies did not receive any further clarification and therefore, did not pursue the request.

- A69 Comment:** Although federal law requires analysis and public involvement before OHV routes are established, the DEIS omits this step.

**Response:** This EIS and plan amendment does not establish OHV routes, rather it addresses areas that are currently open to motorized wheeled cross-country travel (see page 3 of the DEIS). In addition, the designation and establishment of OHV routes would be done at the local level through site-specific planning. Those designations would include and require public involvement per NEPA .

**A70 Comment:** We oppose this open house format for public input. It does not allow the full expression of group feelings of motorized users. We prefer a presentation with a dialogue between different viewpoints.

**Response:** As part of the agencies' public involvement process, there are various formats for dispersing information, entertaining dialogue between user groups and obtaining comments from the public. The agencies analyze the goals to be achieved with the public involvement process and then select the most effective format for the situation. Several formats have been used throughout this project, such as open houses, video presentations, one-on-one discussions, group presentations, brochures and website information.

## ALTERNATIVES

**B1 Comment:** The current proposal allows for off-road use to collect firewood and Christmas trees. According to that exemption all a person has to do is pay five dollars for a firewood permit or Christmas tree permit and they have a right to go wherever they want with their ATV.

**Response:** Under the preferred alternative in the DEIS, motorized wheeled cross-country travel for firewood and Christmas tree cutting could be permitted at the local level. This exception does not allow for cross-country travel unless it is authorized at the local BLM field office or FS ranger district for specific areas and then under the terms and conditions of the permit. Normally, motorized wheeled cross-country travel would not be allowed unless it is located in an area of existing disturbance or a small area specific for cutting firewood or Christmas trees. The Preferred Alternative, Alternative 5 in the FEIS, includes a clarification that motorized wheeled cross-country travel for firewood and Christmas tree cutting could be allowed for those areas identified for such use.

**B2 Comment:** ATV's and bikes should not be used by our government workers on public lands. Their machines do just as much damage as any other machines. Do administrative vehicles cause less environmental damage than privately owned vehicles?

**Response:** Under the Preferred Alternative in the FEIS, motorized wheeled cross-country travel for the BLM and FS would be limited to official administrative business and only when required to accomplish such business. The agencies recognize the need to only drive cross-country under limited circumstances and when conditions are acceptable. However, there are certain activities that require driving motorized wheeled vehicles cross-country (e.g., prescribed fire, surveying, and weed control).

**B3 Comment:** You acknowledge that many uses contribute to the impacts being addressed, yet the DEIS gives only a nod to the on-going development of best management practices for all different forms of land management activities, let alone those specific to travel management. If this is a guideline for management implementation, as noted on page 10 of the DEIS, paragraph 1, where is the discussion of technical mitigation applications for each of the resource issues so that the public can understand what the measures are, other than trail and road closure, that might alleviate the various impacts?

**Response:** The reference to page 10 in the DEIS is to BLM and FS site-specific planning, which involves the analysis and implementation of management practices designed to achieve goals and objectives of the forest plan and resource management plan. This EIS and plan amendment is specific to the management of OHV's. A discussion of technical mitigation applications, or management practices, for other resources would be found in the respective resource management plan or forest plan. Normally, site-specific planning, such as a watershed plan or landscape analysis plan, would incorporate all management guidance for a specific area from the respective resource management plan or forest plan, including OHV restrictions. Appendix B in the FEIS provides additional information on implementation.

**B4 Comment:** The FS does not have enough manpower to enforce policies, restrictions won't be clearly communicated to users, and the FS will never have an accurate inventory of existing trails.

This will result: On June 1 (muddy season) an OHV can illegally make new trails and not get caught. On June 2 another individual can use the trail legally. The FS will never know whether it previously existed.

**Response:** Under the definition of motorized wheeled cross-country travel, clearly evident two-track and single-track routes must be established by the regular use and continuous passage of motorized vehicles. Routes must meet the definition for their continuous length. Routes newly created under wet conditions or in meadow and riparian areas should be easily identified as not meeting the definition because many portions of the route from its beginning to its terminus would not show signs of regular and continuous passage of motor vehicles and many areas would still be fully vegetated with no wheel depressions.

**B5** **Comment:** The action alternatives would certainly not allow nature to begin to reclaim damaged areas as claimed on page 30 of the DEIS, because all or most damaged areas would become existing routes under your definition and would be further degraded by continued OHV use.

**Response:** This section of the EIS and plan amendment has been revised to clarify that under Alternatives 1, 2, and 5 there would be fewer additional user-created roads and trails than under the other alternatives, and most likely, there would be fewer roads and trails to reclaim than under the other alternatives. In addition, the BLM and FS regulations allow for road and trail closures where vehicles are causing or will cause considerable adverse effects upon soil, vegetation, wildlife, wildlife habitat, cultural resources, T&E species, or other resources.

**B6** **Comment:** In addition to needing access for emergency purposes, Montana-Dakota Utilities Co. requires access for routine inspections, maintenance and repair of its permitted facilities.

**Response:** Overall, under the preferred alternative in the DEIS, OHV designations would not limit vehicular access conducted according to the terms of an approved permit or other authorization. In addition, motorized wheeled cross-country travel would be allowed to administer a federal lease or permit, unless specifically prohibited in the lease or permit. Use of motorized wheeled vehicles cross-country for casual use, or outside of the permit, in areas limited or restricted would require permission by the authorized officer.

**B7** **Comment:** In all alternatives studied, there is a need to further define “maintenance” (is it cutting one tree or ten) or “resource damage” (is it one foot of vegetation damage in a wet meadow or fifty).

**Response:** For the FS, under 36 CFR 261.10a, constructing, placing or maintaining any kind of road or trail is prohibited without a special use permit. To construct or maintain a road or trail on public land administered by the BLM requires a right-of-way or temporary use permit. Maintenance includes surface disturbing activities and/or the removal of vegetation. The BLM and FS have the authority to immediately close areas or trails if motorized wheeled vehicles traveling cross-country are causing considerable adverse effects to soil, water, wildlife, vegetation, or are causing user conflicts. This is determined on a case-by-case basis for specific areas.

**B8** **Comment:** I am concerned that when the DEIS says “site-specific travel planning, or activity planning, will address OHV use on specific roads and trails” (Page i, paragraph 3 and again on page 3) and “will not change the currently limited/restricted yearlong or closed designations,” you are, indeed, changing planning options. For example, in the recently completed Elkhorns Travel Plan, the Radersburg area under joint FS/BLM management, functions as an intensive OHV use area by virtue of its open area designation. It is not mentioned in the exemption on page 23. Will this action change how OHV riders can utilize that area? Perhaps there at least needs to be a candidate OHV area list, including places like Radersburg, Strawberry Hill, and others where extensive controversial OHV use is taking place.

I do not see the criteria for prioritizing planning, page 117 in the DEIS, as being useful if these areas should be more remotely located. Radersburg, for example, is hardly a high population center. By the same token, trail/area closures have occurred prior to implementation of this action or before landscape, or other analysis which did not seem to take into account OHV input. The option should remain open or revisit those decision during the course of plan revision, perhaps with some indication of a higher priority. For example, there are many smaller areas, such as Lacy Creek on the Beaverhead National Forest, where riders have asked for the consideration in the past, but no action has been taken. How will they be handled, in view of this action?

**Response:** This EIS and plan amendment would not change the current limited/restricted yearlong or closed area designations, or designated intensive off-road vehicle use areas. In addition, it would not change travel restrictions implemented in areas seasonally restricted. Under the Preferred Alternative, the BLM and FS would prohibit motorized wheeled cross-country travel yearlong in the analysis area. The FEIS would not affect the BLM intensive OHV use area (500 acres) near Radersburg, Montana nor the NFS lands (3,630 acres) involved in the Recreation Management Plan for the Lake Kootanusa drawdown area on the Kootenai National Forest. In addition, there are some isolated BLM lands (5,500 acres) that would remain open. These isolated lands were addressed in the 1995 Elkhorn Mountains Travel management Plan.

After the FEIS is completed, the BLM and FS would continue to develop site-specific plans with public involvement for geographical areas (i.e., landscape analysis, watershed plans, or activity plans). Through site-specific planning, roads and trails would be inventoried, mapped, analyzed, and designated as open, seasonally open, or closed. In addition, site-specific planning could identify areas for trail construction and/or improvement, or specific areas where intensive OHV use may be appropriate. There are currently six BLM intensive use areas in Montana: South Hills area near Billings, Glendive OHV area near Glendive, Terry OHV area near Terry, Glasgow OHV area near Glasgow, Fresno OHV area near Havre, and Radersburg OHV area near Radersburg.

**B9** **Comment:** Our point is to remind you of our right of section line access to school trust lands that are surrounded by federal land. In the meetings we have attended, the FS has repeatedly confirmed its intent to allow us vehicular access to our state land. In keeping with these statements from the FS, we wish you to be aware that regardless of which plan alternative is finalized, we intend to maintain vehicular section line access to school trust lands for management and resource development purposes.

**Response:** The BLM and FS are required to provide such access as is adequate to secure to the landowner the reasonable use and enjoyment of nonfederally owned land that is completely surrounded or isolated by BLM or NFS lands. In determining adequate access, the BLM and FS have discretion to evaluate such things as proposed construction methods and location, to con-

sider reasonable alternatives (trails, alternative routes, aerial access, and degree of development) and to establish such reasonable terms and conditions as are necessary to protect the public interest. Reasonable use and enjoyment need not necessarily require the highest degree of access, but rather could be some lesser degree of reasonable access. However, the BLM and FS must provide a degree of access that is commensurate with the reasonable use and enjoyment of the nonfederal land. For information on State Section Line Law and R.S. 2477, see Response A24.

**B10** **Comment:** The EIS should consider rotational use of the land for cross-country travel. Then areas will have a chance to heal.

**Response:** Alternative 4 with seasonal restrictions has the intent of minimizing damage and the subsequent need for time to heal, by restricting use to times when impacts to soil and vegetation would be minimal and thus able to recover. Rotational use would be very difficult to administer as the areas where people could or could not travel cross-country would be constantly changing. This would require continually changing maps, signs and other forms of communication so people could stay current. This would likely lead to management and enforcement problems.

**B11** **Comment:** There were many comments that suggested minor changes to the alternatives presented, often combining parts of other alternatives with the one they preferred. The following are the types of suggestions made: a) Restrict camping in Alternative 2 to 100' or 50'; b) Expand camping buffer to 600'; c) Disallow game retrieval in Alternative 2; d) Restrict game retrieval to the hours of 10:00 a.m. to 2:00 p.m. or noon to 3:00 p.m.; e) Allow game retrieval in the whole state of Montana; f) Allow game retrieval in the whole state of South Dakota; g) Close all motorized cross-country travel except on maintained roads and then establish "sacrifice areas" where OHV's can drive anywhere they want; h) Administrative use only with authorization from the manager; i) Ban the use of OHV's during hunting season; j) Eliminate the exception for firewood and Christmas tree gathering; k) Include the exception for disabled access in Alternative 1; l) No camping exception; m) Game retrieval should be accomplished without weapons along.

**Response:** The decision-makers may consider each of these options. The NEPA allows the deciding officer to consider combinations of alter-

natives and other possibilities that fall within the range of alternatives analyzed. This allows flexibility in choosing a preferred alternative for the FEIS without having to consider an endless list of possible combinations.

- B12** **Comment:** There were suggestions for specific considerations in the alternatives: a) An alternative that would lead to an enhancement of future OHV use; b) An alternative that would apply restrictions to areas where documented problems exist; c) Restrict OHV use everywhere on public land and allow them after review is completed on a case-by-case basis.

**Response:** Each of these suggestions requires local site-specific information about the land, use patterns, overall management objectives, etc. This level of information cannot be appropriately analyzed for a 16 million-acre area. It does not fit with the broad programmatic change of land designation that is the purpose and scope of this project. The purpose is to “avoid future damage” from cross-country travel by OHV’s rather than trying to resolve all the current problems. The alternatives suggested may be appropriate at the local site-specific level of planning described in Appendix B. The local level can deal with opportunities for enhancing OHV use, resolving existing problem areas and sorting out the appropriate distribution of various recreational users. (See Chapter 1, Background section of the FEIS, concerning the different levels of analysis and decision-making.)

- B13** **Comment:** The statutory responsibilities of the North Dakota Game and Fish Department ex. law enforcement activities--routine and otherwise, necessitate access to the public lands. This should be expressly recognized in your final decision.

**Response:** The DEIS did not specifically address access by other agencies with needs for motorized wheeled cross-country travel. This omission has been corrected in Chapter 2, Alternative 5 (Preferred Alternative), of the FEIS. It recognizes that other government entities can get authorization from the local manager through the normal permitting process or memorandum of understanding.

- B14** **Comment:** The range of alternatives is not reasonable. All the alternatives deal with closing more acres to OHV use. None deal with reducing the number of acres that are closed. It is very clear

that a reasonable range is not all at one end of the scale. An alternative that uses travel plan information must also be analyzed in detail. Likewise, your reason for not studying an alternative to restrict OHV’s to FS development roads and trails and BLM designated routes in detail is not rational. DEIS, page 9 states that, “this alternative would immediately close all of these roads and trails with very little quantitative analysis justifying the closure.” I see no difference between this and the level of information in the DEIS.

**Response:** The range of alternatives developed must meet the purpose, need and issues of the proposal. Alternatives opening more acres to OHV cross-country use are not responsive to the purpose and need of the proposal. See Chapter 1 of the FEIS for purpose, need and proposal.

The use of travel plan information would involve site-specific planning not appropriate for this broad programmatic change. See the Chapter 1, Background section in the FEIS.

The portion you quote on page 9 of the DEIS was revised for the FEIS.

- B15** **Comment:** The EIS states that “in the eastern portion of the analysis area, impacts from intensive motorized cross-country use are minimal, which suggests a low frequency of motorized cross country travel occurring in the eastern portion of the analysis area.” (DEIS, page 25) If this comment is true, then either the no action alternative should be the best alternative for this area or the DEIS should be modified to exclude these lands from any of the proposed alternatives. In western Montana, the DEIS observes that OHV use is often regulated during the hunting season to minimize user conflicts. If this is true, then the DEIS fails to explain why yearlong closures are necessary in these areas if user conflicts and impacts to wildlife have already been mitigated by seasonal closures.

**Response:** The purpose of this EIS and plan amendment is to avoid future resource damage, user conflicts, and related problems by motorized wheeled cross-country travel. The trend of OHV use has increased substantially during the past decade and is expected to continue. To prevent areas with relatively low use and user impacts from sustaining negative effects they are included in some of the alternatives. The area in western Montana was excluded in Alternative 3.

**B16** **Comment:** OHV roads and trails, and cross-country travel should be subject to emergency closures when conditions are such that such travel would be damaging to vegetation, roads, or trails, such as when very wet conditions prevail. OHV use of roads should be by management design to help achieve sometimes competing goals of access to lands, the need to disperse and control public use, biological needs of wildlife and sustaining vegetative and landscape attributes that make the lands interesting to the public. Such detailed management should be planned and periodically reviewed with public input.

**Response:** Local managers have the authority to use emergency closures to protect resources from very wet conditions, as well as other considerable adverse environmental effects (36 CFR 295.5 and 43 CFR 8341.2 and 8364.1). Forest plans and resource management plans, travel management plans and other site-specific plans accomplish your request, assess competing goals, involve the public and are periodically reviewed.

**B17** **Comment:** I encourage you to call for (and apply) a more restrictive policy: ATV's should travel on roads only until adequate plans are made for wider use. ATV use should be restricted to established roads and trails with widths greater than forty-eight inches. We have a wonderful trail system built in the 1930's and improved since. Because it is only twenty-four inches wide, use by ATV's is (and will be) obviously destructive. Entry of ATV's into this system, if it is to occur, should await widening and re-engineering the trails.

**Response:** This analysis is dealing with areas that are open to motorized wheeled cross-country travel, not roads or trails, therefore your comment is outside the scope of this analysis. Designation of trails for certain types of users is dependent upon site-specific knowledge of design, soil type, location, etc. and will be dealt with at the local site-specific planning level.

**B18** **Comment:** If ATV's are allowed to use trails they should be restricted to dry trails, perhaps with a published 'season,' i.e. they should be excluded in the spring and late fall. Forest Service managers have long recognized the damage done to native vegetation under wet conditions. Thus, cattle and sheep use have been restricted to the dry-soil season. Horses are sometimes restricted. Why should ATV's and motorcycles, which create linear, especially erosive tracks, be allowed to damage trails for the majority (non-ATV) user?

**Response:** This EIS and plan amendment addresses motorized wheeled cross-country travel. It does not address the timing and use of individual trails, which would be dealt with during local site-specific planning that takes into account, soil type, season of use, design and maintenance criteria, etc. Alternative 4 was designed with seasonal restrictions of motorized wheeled cross-country travel to avoid wet conditions that you have identified.

**B19** **Comment:** The EIS should include the Montana State Lands Policy because it limits OHV's to designated roads and trails and better protects the environment than any of the alternatives proposed. OHV's have access to countless miles of roads and designated trails on NFS and BLM lands to drive on and should be prohibited from all other user-created trails.

**Response:** Montana law (77-1-804(6), MCA) gives the Land Board the authority to adopt rules governing the recreational use of state lands. It specifically states, "Motorized vehicle use by recreationists on state lands is restricted to federal, state and dedicated county roads and to those roads designated by the department to be open to motorized vehicle use." The Department of Natural Resources and Conservation has implemented this gradually over a number of years through their local offices, identifying and signing roads open or closed. The approach used has varied across the state based on what was determined to be most efficient. Generally in the western part of the state, it has meant leaving roads open unless posted closed. However, in much of the eastern portion of the state, roads are closed unless posted open.

The BLM and FS are pursuing a very similar process with this EIS and plan amendment. The first step is to restrict cross-country travel by OHV's with the second step at the local office level, to designate roads and trails for their appropriate use through site-specific planning. The endpoint of the process (designated routes), the use of local offices to achieve the endpoint, and the fact that it takes many years to reach the endpoint, are basically the same. One difference between the two approaches is the starting point. Montana law eliminated cross-country travel. The CFR's for the agencies did not; rather the regulations directed the agencies to identify areas to be open, closed, or restricted/limited to cross-country travel. The management plans developed in the 1980's for the agencies completed this step and design-

nated many areas as open. This EIS and plan amendment would amend those plans to adjust our management based on the changed conditions during the past 10-15 years.

**B20** **Comment:** Snowmobiles are a form of OHV and should be addressed in this project. They have many of the same negative effects on wildlife; they are noisy and create air pollution. I do not understand why these were excluded from the EIS.

**Response:** This proposal addresses motorized wheeled vehicles such as motorcycles, ATV's, four-wheel drive vehicles, etc. Addressing snowmobile use in this proposal would complicate and lengthen the EIS process significantly as described in the DEIS on page 17. Since snowmobiles are usually driven on a layer of snow, their environmental effects are different than those of motorized wheeled vehicles, which come into direct contact with the ground. User conflicts associated with snowmobiles are also different than those with motorized wheeled vehicles.

**B21** **Comment:** I urge you to choose an alternative that restricts OHV's to designated roads and trails. Do not allow the use of user-created roads and trails, they should be closed and rehabilitated. NEPA requires consideration of a reasonable range of alternatives, it appears the "Forest Service development roads and trails and BLM designated routes" alternative better meets the purpose and need by better protecting the environment and other users, by restricting OHV use to roads and trails intended for their use.

**Response:** As described in Chapter 1, Background and Chapter 2, Alternatives Eliminated from Detailed Study, there are two levels of decision-making, the broad programmatic level, and the site-specific level. Individual road and trail designation involves the site-specific level. The decision-makers chose to keep this EIS and plan amendment focused on the programmatic level to deal with the designation of areas for use by OHV's. It is not feasible to do site-specific analysis for 16 million acres in a reasonable amount of time to meet the purpose of this EIS and plan amendment.

There are several facets to be addressed in this comment. One is the perception that any road or trail not on the FS system or BLM recreation map is user-created (see Chapter 1 discussion). Many

of these roads and trails have been in place for many decades and were created by a whole range of various agency-authorized activities, including mining, fireline construction, logging, utility rights-of-way, and trails constructed by the agencies. Some of these have been abandoned for their original intent but have been used by recreationists since their establishment. These roads are unclassified in the new FS policy (36 CFR 212).

The FS system for tracking National Forest Development Roads and Trails was originally established to monitor construction, reconstruction and maintenance of government-funded roads and trails and to plan and report accomplishment of these tasks. These are referred to as classified roads in the new roads policy. Until recently, no efforts have been made to incorporate all of the NFS roads and trails into the inventory. As a result, the system of roads and trails may or may not reflect the majority of the roads and trails that actually exist on NFS lands. It depends on the forests being considered. In the steep, densely forested areas of western Montana, the system reflects most of the roads and trails; in central Montana, the Custer National Forest, North Dakota and South Dakota, the System reflects only a portion of them. The new FS roads policy directs the forests to develop a transportation atlas and identify the minimum road system needed for safe and efficient travel and for the administration, utilization and protection of FS lands. Unneeded roads will be decommissioned or converted to trails. The policy recognizes that this is a dynamic, ongoing process.

Currently, the BLM does not have a designated system. Through site-specific planning at the local level, roads and trails on BLM lands would be inventoried, mapped, analyzed, and designated as open, seasonally open, or closed.

**B22** **Comment:** Consider adoption of a policy that roads and trails are closed unless posted open. In the DEIS this alternative was eliminated from detailed study. I don't understand why it would be a significant undertaking or why it doesn't meet the purpose and need?

**Response:** The purpose of this EIS and plan amendment is to deal with motorized wheeled cross-country travel. It is a programmatic decision document and is not designed to deal with site-specific choices of which roads or trails should or should not be open to various types of users. The "closed unless posted open" alternative deals

with the designation of roads and trails as closed; which is best addressed at the local level through site-specific planning. The purpose of this EIS and plan amendment is to limit/restrict areas that are currently open to motorized wheeled cross-country travel, not management of individual roads and trails.

Site-specific planning on a 16 million-acre analysis area would be a significant undertaking that would involve detailed inventory, mapping and analysis of BLM and NFS lands, and working with numerous local interest groups whose depth of knowledge and scope of interest would not necessarily extend to the entire analysis area, in order to achieve the goals and objectives of resource management plans and forest plans related to soil, watershed, wildlife, recreation, etc. This is better accomplished at the local level.

**B23** **Comment:** Many commenters suggested the best way to approach OHV management was through site-specific analysis. There were three different approaches that brought people to a similar conclusion. a) There are many areas identified in the DEIS that receive little OHV use because of steepness and vegetation or very few users. If that is the case, why not deal with the problem areas on a site-specific basis that allows case-by-case evaluation and then mitigation? b) OHV's should be restricted to designated routes unless site-specific analysis indicates there won't be any effects on wildlife, other users, soil, water, etc. c) The EIS should address actions to restore damaged areas.

**Response:** This is a programmatic, broad scale decision being made with the purpose of avoiding future resource damage from motorized wheeled cross-country travel in areas currently designated open to cross-country travel. The trend of OHV use in the 1990's is increasing and is expected to continue to increase, resulting in more effects. The agencies recognize these effects are minimal in some of the analysis area and desire to keep them that way, thus preventing damage that may require expensive mitigation. That is the stated purpose of the project.

The desire for designation of routes and restoring damaged areas is an ongoing process at the local level where site-specific planning is appropriately accomplished. It is not the purpose of this programmatic EIS to solve these issues.

**B24** **Comment:** A serious flaw of the DEIS is that it fails to comply with the NEPA requirement for complete analysis of a full range of alternatives. This failure is the result of eliminating from detailed study the alternative that would restrict OHV's to Forest Service development roads and BLM designated routes (page 9, DEIS). An EIS must describe and analyze alternatives to the proposed action. Indeed, the alternatives analysis section is the "heart of the environmental impact statement." The agency must look at every reasonable alternative within the range dictated by the nature and scope of the proposal. The reasons stated on page 9 for eliminating this alternative are not valid as described below:

1. Does not meet purpose and need. It does meet purpose and need. It would prevent further damage and preserve future options better than any of the current alternatives.
2. Analyzing FS system roads and trails would delay decision. This is not true, you do not need to analyze system roads and trails to make a decision on cross-country travel. The precise location of designated routes is readily available to the agencies and other use is cross-country, therefore effects can be determined without an inventory of user-created roads and trails.
3. Adequate data is not available to assess impacts of non-system roads and trails. Inadequate data or uncertainty does not relieve the agencies of their responsibility to estimate effects to comply with NEPA. It is not a basis for avoiding an alternative.
4. Roads and trails created through casual use are not considered illegal. - Not reasonable or logical under FS regulations since it violated the FS Code of Regulations (36 CFR 261.10). The correct interpretation is that they are illegal.
5. Analyzing restricting OHV's to FS system roads and trails is best done at the local level after nonsystem routes are closed.
6. Closing nonsystem routes is extremely impacting to OHV users due to state laws on licensing. This is not part of purpose and need. Not closing such routes is extremely impactful to the vast majority of forest users, as well as to the land and resources.



**Response:** There is a key point to understanding why a National Forest Development Roads and BLM designated routes alternative was eliminated from detailed analysis. On many forests the National Forest Development Road system does not represent the motorized travel system that exists. Many of these nonsystem (unclassified) roads and trails have been used administratively, by mineral claimants and permittees/lessees and are part of the transportation network serving necessary purposes. There are many roads that have been in place and used for many decades that are not part of the National Forest Development system. These roads were developed while conducting approved activities, often prior to the passage of NEPA, and still provide a useful function. See Chapter 2, Alternatives Eliminated from Detailed Study for discussion. For additional information, see Responses A15 and B21.

These unclassified roads cannot at this time be distinguished from user-created roads at a three-state level, nor can a determination be made on which should be added to the National Forest Development system. The new FS roads policy indicates the disposition of these roads will be determined at the local level after inventory and analysis has been completed with public participation. In situations where there are currently considerable adverse environmental effects, the local manager can close the roads immediately. In response to the 6 points:

1. It would meet part of the purpose and need, preventing further resource damage and it would not forego future options. However, it does not provide for timeliness, since the only way to determine what should be added to the forest development system would be to conduct the inventory, analysis and site-specific planning of existing roads. It is also not timely from the standpoint of designating routes on BLM lands. The designation process and implementation will take years to accomplish.

2. This point assumes that all motorized travel not occurring on FS system roads and trails is cross-country travel. Many of the nonsystem roads and trails were constructed, evidenced by a cut and fill, others may only be a two track but provide access for maintenance to water developments, fences, communication sites, etc. As stated above many of the unclassified roads were authorized in the past. It would take a site-specific analysis to determine which roads and trails should be added

to the system (36 CFR 212). As described in chapter 1 of the FEIS, there are two levels of planning. This EIS and plan amendment is focused on the programmatic level. The system road and trail alternative is level two, site-specific planning.

3. The lack of data reference in the DEIS has been removed in the FEIS. The amount of data referred to is irrelevant. Uncertainty about roads and trails is not why this alternative was dropped from detailed consideration. The purpose of this EIS is a programmatic amendment of forest plans and resource management plans and change to the designation of areas to restrict/limit cross-country travel. Even if all the data were available today, this three-state EIS and plan amendment is the wrong scale to make the determination of which roads and trails should be open or closed. The new FS roads policy recognizes the existence of unclassified roads and the need to make decisions related to whether they are needed as part of the transportation system or whether they need to be decommissioned or converted to trails. The policy also recognizes this will be accomplished through a roads analysis and site-specific decision-making process. Therefore, it is inappropriate to include this alternative for detailed study.

4. The contention that casual use violates CFR 261.10 is incorrect. This CFR prohibits constructing, placing or maintaining any kind of road, trail, structure without a special-use permit. Casual use trails have not been constructed, placed or maintained. They are not considered illegal because these areas are currently open for cross-country travel. Repeated use over time may create a trail, but the use by those individuals is legal, it is not a criminal act. If such a trail is or will cause considerable adverse effects, the local manager can immediately close the trail (36 CFR 295.5).

5. You suggest analyzing restricting OHV's to FS system roads and trails is best done at the local level after routes are closed. The FS does not have a basis for closing all non-system roads and trails. The new FS roads policy directs the inventory and analysis of existing roads to determine which should be added to the system with the rest to be rehabilitated, a decision accomplished at the local level through a public process. This FEIS is programmatic in nature and deals with motorized wheeled cross-country travel, not roads and trails, whether system (classified) or non-system (unclassified).

6. The section where user-created trails and impact to those users is discussed on page 9 of the DEIS is background explanatory information and does not belong in that section. It has been removed.

**B25 Comment:** Use your (FS and BLM) travel maps to identify travel routes that OHV's would be restricted to using.

**Response:** This analysis is focused on motorized wheeled cross-country travel, not on different road and trail use options. In Chapter 1, Background, the two levels of decision-making for travel planning are described. This FEIS is a programmatic decision designating areas limited/restricted that are currently designated as open. Suggestions such as yours would be considered at the site-specific level, which would include detailed analysis of road and trail locations, soil information, specific wildlife habitat, etc.

**B26 Comment:** User-created trails, by definition, were not planned to be protective of environmental resources. This means that they could be impacting sensitive ecological areas, including wetlands, endangered species habitat, fragile soils and riparian areas. Under all proposed alternatives, the impacts associated with user-created roads and trails will continue and will likely worsen over time, making them incompatible with minimizing OHV impact. We understand that the purpose statement has been qualified to incorporate only restrictions on cross-country travel as a means for regulating the current OHV caused degradation. However, we feel that sufficient data has been presented in the DEIS to show that many existing routes also contribute to this impact.

**Response:** The local manager has the authority under current regulations (36 CFR 295.2 and 295.5, and 43 CFR 8341.2 and 8364.1) to immediately close any fragile or sensitive areas that are damaged or threatened with damage. These situations are site-specific and are best addressed at the local level. Existing route problems can be dealt with as just described and the long term solution, as described in Chapter 1, is the designation of routes through site-specific planning, which is ongoing and would be prioritized to minimize effects as described in Appendix B.

**B27 Comment:** The agencies have two basic options: they can use the currently existing travel plan rubric of closed areas with travel on a known

designated trail system until additional trails can be inventoried and analyzed, or they can allow continued motorized use on an unknown system that has never been analyzed for motorized use and is admittedly causing the resource damage this plan is intended to address. The first option addresses the resource damage prompting the DEIS, fits within the agencies' already established travel planning rubric and is quantifiable and known. The second option allows resource damage to continue, runs counter to current travel management, and allows the use of an unknown, unanalyzed route system that is admittedly causing resource damage. Unfortunately, the agencies have chosen the second option, refusing to even consider the first.

**Response:** The comment is based on three misunderstandings of the existing situation. First, the statement, "they can use the currently existing travel plan rubric of closed areas with travel on a known designated trail system" is incorrect. The EIS does not address currently 'closed areas.' The scope of the decision (page 4, DEIS) states, "lands affected by this proposal are those *lands open yearlong or seasonally* to motorized cross-country travel." (Emphasis added.) The Preferred Alternative would change the area designation to limited/restricted yearlong.

The second misunderstanding relates to 'travel on a known designated trail system.' The comment assumes travel is allowed only on this designated system. However, current travel management within the analysis area is open to motorized wheeled cross-country travel. There are many miles of trails and roads that have been in place for decades, used by the public, agency employees in the conduct of their duties, and by a variety of permitted activities, that are not part of the current road and trail system. Many of these roads and trails existed at the time the two agencies' management plans were adopted with the full expectation that the roads and trails would continue to be used after areas were identified as open or restricted. This EIS and plan amendment is changing the area designation where motorized wheeled cross-country travel is currently allowed. Site-specific planning would restrict motorized wheeled travel to roads and trails designated for that use.

The third misunderstanding is that this effort is a 'travel plan.' It is not a travel plan, rather it is an amendment to the land allocations of the agencies' resource management plans and forest plans that

eliminates unrestricted motorized wheeled cross-country travel. Site-specific planning will be the second level of the process that achieves the designation of motorized routes through site-specific analysis. See Chapter 1, Purpose and Need.

**B28 Comment:** Given the agencies' difficulties in managing OHV's the best solution is to follow the suggestions in the rulemaking petition filed by Wildlands Center for the Prevention of Roads and The Wilderness Society with the FS. Failing that, the agencies need to close all user-created trails until the impacts of motorized use on these trails can be analyzed on a site-specific basis.

**Response:** The rulemaking petition cited is beyond the scope of this analysis, since it requests the national office of the FS to write a regulation. That is beyond the authority of the Regional Forester and would not affect BLM lands. The closure of all user-created trails is not within the scope of this EIS, which deals with motorized wheeled cross-country travel, see Response B21. However ongoing and subsequent site-specific planning has, is and will continue to deal with road and trail issues related to OHV use.

**B29 Comment:** The rationale in the DEIS for eliminating any alternative which would close user-created trails rests on the agencies inability to analyze the impacts of such an alternative. Closing user-created trails clearly could only have a beneficial impact on the physical environment. NEPA does not even require an EIS for actions that preserve the physical environment.

In the case of the OHV plan amendment, the agencies are arguing that NEPA prohibits them from considering any alternative to close user-created routes. NEPA only requires that the agencies take a "hard look" at the impacts of actions that will adversely affect the environment. No such detailed analysis is required prior to actions that serve only to prevent human impacts upon natural resources. Indeed, were the agencies to limit all motorized travel to designated routes and motorized trails, they could do so without undertaking an environmental impact statement at all.

**Response:** This EIS and plan amendment would amend the 18 resource management plans and forest plans displayed in Table 1.1. An amendment to a resource management plan is made through an environmental assessment or an environmental impact statement (43 CFR 1610.5-5).

A nonsignificant amendment to a forest plan must follow appropriate public notification and satisfactory completion of NEPA procedures (36 CFR 219.10(f)). An environmental assessment or an environmental impact statement must be prepared for a plan amendment which changes the designation of an area from "open" to "limited" or "restricted." The BLM and FS decided early on to prepare an EIS since the proposal would amend 18 plans and address a designation on 16 million acres.

An alternative considering forest development roads and trails and BLM designated routes was eliminated from detailed study because it does not meet the purpose and need of the proposal. The purpose and need of the proposal are to amend forest plan and resource management plan OHV area designations to preserve future options for travel management and provide timely interim direction that would prevent further resource damage, user conflicts, and related problems, including new user-created roads and trails, associated with cross-country OHV travel until subsequent site-specific planning is completed. As discussed in the DEIS under Alternatives Eliminated from Detailed Study, to meet the purpose and need of this proposal, the decision needs to be timely and the level of analysis needs to be commensurate with a broad level document of this type. Completion of a site-specific inventory would affect the timeliness of a decision and is not necessary in making a decision on area designations for public lands as open, restricted/limited or closed to motorized wheeled cross-country travel.

**B30 Comment:** The plan proposes restricting travel to designated routes and trails. I cannot support this when these routes have not yet been designated. If these routes are for public use and access they should lie solely on public lands, minimizing impacts and cost to private landowners. Lease holders need access off-road or trail in order to carry out administration of permit tasks.

**Response:** This FEIS only applies to public lands administered by the BLM and FS Northern Region in Montana, North Dakota and portions of South Dakota (excluding the Black Hills National Forest, Buffalo Gap Grassland and the Fort Pierre Grassland). Under the Preferred Alternative, the BLM and FS would restrict motorized wheeled cross-country travel yearlong on public lands. These lands would be designated limited or restricted yearlong. This FEIS would not designate

the routes and trails. After the plan amendment is completed, the BLM and FS would continue to develop travel management plans for geographical areas with public involvement. Through site-specific planning, roads and trails would be inventoried, mapped, analyzed, and designated as open, seasonally open, or closed.

Under the preferred alternative in the DEIS, motorized wheeled cross-country travel for lessees and permittees to administer federal leases or permits would be allowed, unless specifically prohibited in the lease or permit. The Preferred Alternative (Alternative 5) in the FEIS clarifies that motorized wheeled cross-country travel would be limited to administration of a lease or permit (e.g., gas or electric utilities monitoring for safety conditions or maintenance; livestock permittees assessing vegetation conditions, fences, wells or pipelines). For additional information, please see Alternative 5 in Chapter 2 of the FEIS.

**B31** **Comment:** Why doesn't the No Action Alternative have a number? Does this mean you are not even considering it as a viable option? If not, why not?

**Response:** The alternatives to current management, or No Action, were identified as Alternatives 1 to 4 in the DEIS. All alternatives, including the No Action, are reasonable options. As discussed on page 7 of the DEIS, the decision could be whether or not to implement restrictions as described in the alternatives or choose a modified alternative. A new alternative, Alternative 5, has been added to the FEIS. Alternative 5 is a modified alternative based on the public comments on the DEIS.

**B32** **Comment:** You do not have any accurate numbers reflecting how many miles of trails were open to OHV use in 1965. You have never provided or analyzed or even counted the number of miles of these trails no longer available due to wilderness designation, study, or proposed wilderness, special study areas, research areas, administrative areas and administrative closures. Without accurately determining the extent of the previous closures and restrictions how can you see the adverse cumulative effects on motorized recreationists?

**Response:** The BLM and FS recognize that under any of the action alternatives (Alternatives 1-5) in the DEIS, lands would be added to public lands already closed to motorized wheeled cross-coun-

try travel in the three states. Current acreage restricted or closed to OHV's by field unit is displayed in Table 3.1 (page 24) of the DEIS. Cumulative effects for recreation are discussed on pages 29 and 30 of the DEIS. The FEIS has been revised to clarify the current restrictions on BLM and NFS lands.

**B33** **Comment:** I believe if you want control of road vehicles it should be done with standards and guidelines for recreation. Since this was done with livestock, doing standards and guidelines for recreation would be more consistent with the multiple use concept of land management.

**Response:** The purpose of the EIS and plan amendment is to address motorized wheeled OHV travel on open areas that are currently available to motorized wheeled cross-country travel. The EIS and plan amendment is only addressing OHV use and not other recreation activities. Management of other recreation activities is provided for in current resource management plans and forest plans.

**B34** **Comment:** We believe that in the long run, and sooner rather than later, OHV use on public lands should be restricted (with exceptions such as in Alternative 2) to designated routes. Will Alternative 2 accomplish this?

**Response:** All the alternatives would result in designated routes, through subsequent site-specific planning as stated in the long-term goal of this effort, Appendix B of the DEIS. The relationship of this programmatic plan to site-specific planning is found in Chapter 1, Chapter 2 in the presentation of alternatives, and Appendix B. Some site-specific planning is ongoing.

**B35** **Comment:** Your preferred Alternative 2 in the DEIS is conflicting to itself under the different management areas and environmental issues shown in Table S.2. Examples: Areas open yearlong or seasonally: It states, "None." Prohibits cross-country travel: "Yes" but under several other listed uses it allows access and travel. How can it have no areas open yearlong or seasonally and at the same time say for specific uses it's okay?

**Response:** Alternative 2 prohibits general access for motorized wheeled OHV's traveling cross-country, but allows their use for some specific exceptions. These exceptions are described in Chapter 2 of the FEIS, Alternatives Considered in

Detail, and include such things as emergency purposes, official administrative business, retrieving big-game animals in certain geographic areas, lessees and permittees to administer leases and permits, and others.

**B36** **Comment:** Of the Alternatives considered, the Preferred Alternative is by far the best choice. However, I believe the Preferred Alternative falls far short of protecting public land and allowing for intelligent use. The Preferred Alternative has no minimum standards for even the most basic resource protection. Is there no abuse considered too excessive or was this just a glaring oversight? At a minimum, the Preferred Alternative should: place a ceiling on road density (ATV roads included); specify a minimum amount of big game security; specify minimum standards that ensure soil and watershed protection; and address the spread of noxious weeds along motorized routes B perhaps licensing that includes a user fee for weed control.

**Response:** Many forest plans and resource management plans have standards and guidelines for protecting resources, such as road densities, not operating machinery in riparian zones, best management practices, etc. The standards and guidelines vary depending on the land allocation and the goals and objectives in the management plan. The purpose of the Preferred Alternative is avoiding future damage from motorized wheeled OHV's traveling cross country, it does not address specific problem areas or existing trail and road management. The current problem areas would be dealt with during site-specific planning. If there are areas currently receiving considerable adverse effects, the local manager has the authority to immediately restrict access (36 CFR 295.5 or 43 CFR 8341.2 and 8364.1). This EIS and plan amendment is dealing with motorized wheeled cross-country travel through area designations not the management of roads and trails. For these reasons, it is inappropriate for this FEIS to identify standards for road or trail management.

**B37** **Comment:** With the adoption of Alternative "2" and its legalization of its entire new user-created roads and trails won't this create a monumental maintenance task for an already over-extended FS and BLM budget?

**Response:** None of the alternatives "legalize" user-created roads and trails. They are not illegal, since the areas are open to motorized wheeled

cross-country travel. Repeated use in a location is not illegal. Sometimes it causes undesirable resource damage, which is part of the reason for this EIS and plan amendment; to avoid more of these types of trails.

The selection of any of the action alternatives would not create a monumental maintenance task because the "user-created" trails would not become part of the permanent transportation network through this decision. They would not be maintained and they would not be posted on the ground as part of the permanent transportation network or put on maps. Site-specific planning will review road and trail needs to meet recreation, administrative, permitted and other access needs with involvement of the public. One factor that local managers would take into account is the ability to maintain the system of roads and trails that do become designated for any type of use, whether motorized or nonmotorized.

**B38** **Comment:** According to Helena District Ranger Dennis Hart: "Each year, new trails are being illegally constructed on NFS lands by a handful of forest users. These routes were never proposed, analyzed or identified for public input in compliance with the National Environmental Policy Act. Although public lands may be open to motorized recreation, federal regulations prohibit the unauthorized construction or maintenance of trails. Increasingly each year, new trail routes are being illegally constructed. In many cases, these trails have been built specifically to accommodate ATV's. Illegal trails are not recognized as a segment of the forest transportation system. Unauthorized trails on NFS lands often create serious management and resource conflicts. It's important to close the unauthorized trails before motorized use becomes established." A May 18, 1999 order issued by the Federal District Court in Missoula provides further guidance that the analysis in the DEIS is not lawful. The Swan View Coalition filed suit after the Flathead National Forest refused to close a user-created snowmobile/ORV trail in the Swan Range. The issue was settled and Federal District Judge Donald Molloy ordered the user-created ORV route closed and restored to its natural condition. Judge Molloy's order states that the closure shall be permanent unless the route is either fully restored to its previous natural condition or the agency conducts a site-specific analysis and determines that the route is legally established as part of the forest after providing for public participation in that

decision and after compliance with all applicable laws and regulations.

**Response:** Construction or maintenance of trails without prior approval on agency lands is prohibited (36 CFR 261.10 and 43 CFR 2801). Local managers have the authority and responsibility now, without this EIS and plan amendment, to address such violations when they are discovered. This activity is not part of the purpose of this EIS and plan amendment. It needs to be dealt with through the local BLM or FS office. See Chapter 1 for a discussion of the different levels of decisions related to travel planning.

**B39 Comment:** If Alternative 2 is adopted how much will permits cost and who will get them?

**Response:** There would not be a fee permit system for motorized wheeled cross-country travel. All such travel, except for the uses described in the Preferred Alternative would be prohibited. The reference in the FEIS to permittees is specific to individuals or companies that have permits for some type of approved activity, such as utility rights-of-way, livestock permits, various types of natural products collected for commercial production (mushrooms, beargrass, timber sales, etc.). The use of OHV's is controlled by conditions specified in their permit, so that effects from the use are mitigated.

**B40 Comment:** Alternative 3 looks illegal to me, because it would appear to legalize OHV use on the Kootenai, Flathead, and Bitterroot National Forests, where it is now illegal under current forest plans.

**Response:** Alternative 3 would not change current direction on those three national forests. Therefore, areas currently restricted as shown in Table 3.1 would stay restricted and those that are currently open would remain open. About 3.6 million acres in those three national forests are open seasonally or yearlong consistent with the forest plans.

**B41 Comment:** Alternative 3 is preferable of those presented, however, the camping should be given serious review to include language that when, for example improved campgrounds are available, no off-road camping is allowed, that results in new roads or trails within one mile radius of those developed campgrounds. Furthermore, outside of the "one mile radius" no new roads/campsites are

allowed when existing sites reach a count of "three sites" within any one mile stretch of main road. The local administration should monitor the number of sites within the determined area and post it with signs that no new sites are to be created.

**Response:** This suggestion is outside the scope of this analysis since it deals with specific areas, numbers of sites and distances related to the location of specific developed recreation sites. It is something that could be very pertinent for some site-specific planning.

**B42 Comment:** On page 17 of the DEIS, 1<sup>st</sup> Col, exceptions 1. 2. 3. 4., this probably should say "best route" rather than "most direct route." Going over a steep bank or through a ditch or mud hole to go by direct route is a lot less desirable environmentally than going a few feet further to go around and avoid the problem.

**Response:** This is a good suggestion that has been incorporated into the FEIS in Chapter 2, Alternatives Considered in Detail, for the alternatives that include an exception for game retrieval. The wording is now "by the most direct route with least disturbance."

**B43 Comment:** The wording in Alternative 3 is incorrect. "Flathead, Kootenai, Bitterroot where problems do not occur or where existing regulations are adequate." There are well documented impacts on cultural sites on all those forests. Need to change wording to "where problems occur in limited areas."

**Response:** This is a good suggestion that has been incorporated into the FEIS in Chapter 2 describing Alternative 3. The new wording indicates, "where problems are limited because of steep terrain and dense vegetation or where existing..."

## RECREATION

**C1 Comment:** You need to add wood gathering to the list of exceptions under Issues.

**Response:** Wood gathering has been added under the Issue section in Chapter 1 of the FEIS. Under the Preferred Alternative in the FEIS, motorized wheeled cross-country travel for personal use permits such as firewood cutting could be allowed at the local level in specific areas identified for such use.

- C2** **Comment:** You need to address the displacement effect that closing or restricting public lands has on private lands.
- Response:** There is little or no anticipated effect on private lands and this has been added to Chapter 3, under Recreation, Environmental Consequences, Alternative 1 of the FEIS.
- C3** **Comment:** You have unsubstantiated assumptions and how was the figure derived indicating that 1% of registered vehicles are used in cross-country situations?
- Response:** When quantifiable data is lacking sometimes assumptions based on field observations must be used in order to develop scenarios of possible effects. An example is where field observations of recreation specialists and law enforcement personnel were used to arrive at an estimate of motorized wheeled cross-country travel. This was combined with existing information available on the number of registered vehicles to get an idea of possible effects. Additional discussion has been added to the FEIS in Chapter 3, Economics section, Environmental Consequences. For further information see Response A35.
- C4** **Comment:** You need to develop a long-range recreation/access and monitoring plan, one that tracks recreation opportunities lost and gained, and evaluates increased OHV traffic, including roadless areas and hunting opportunities, and work with recognized local groups to improve access and retain quality recreation experiences.
- Response:** Developing a comprehensive recreation and monitoring plan is outside the scope of this FEIS where the focus is avoiding future damage from motorized wheeled cross-country travel in areas currently designated as open. Long-range recreation/access and monitoring plans are usually completed at the forest plan and resource management plan level and, at times, during site-specific planning.
- C5** **Comment:** Recreation planners should be providing for access to public lands with a good system of roads for standard highway vehicles with trailheads at many locations and with most of these maintained as open through the seasons. If this is done, the access part of the OHV argument can be countered, and the machines evaluated solely in terms of the real damage they do to resources and the very negative effect their noise and fumes have on other recreational users.
- Response:** Access needs and the associated road network and trailheads to meet these needs are addressed through site-specific planning.
- C6** **Comment:** The DEIS fails to estimate future levels of OHV traffic under each alternative, fails to establish acceptable air pollution levels, fails to analyze how many miles of traditional foot and horse trails are likely to become motor vehicle trails, fails to analyze impacts on nonmotorized recreationists and their displacement from areas near unsanctioned motorized trails, and fails to mention the problem of lack of acceptable noise levels.
- Response:** The BLM and NFS lands affected by this proposal are those lands currently open seasonally or yearlong to motorized wheeled cross-country travel. Roads and trails within open areas, including hiking and horseback riding trails, are currently available for motorized travel. The environmental effects of each of the alternatives for recreation, including nonmotorized users, is addressed on pages 28 and 29 of the DEIS.
- These are very important issues, many of which would be addressed during site-specific planning. This FEIS was not meant to be an all inclusive recreation analysis. The issues mentioned in this comment are all outside the scope of this FEIS where the focus is avoiding future resource damage and user conflicts from motorized wheeled cross-country travel in areas currently designated as open.
- C7** **Comment:** There is no reference to the problem of noise where motorized and nonmotorized use mixes and mingles on roads and trails.
- Response:** The problem of noise is covered in the Recreation and Social sections of the DEIS on pages 22 and 35. Noise, related to mixed traffic on individual roads and trails, is outside the scope of this FEIS where the focus is on avoiding future damage and conflict from motorized wheeled cross-country travel.
- C8** **Comment:** You may be in violation of federal laws governing access for disabled people by not allowing vehicular access. You need to comply with ADA (Americans with Disabilities Act).

**Response:** The BLM and FS must comply with the various laws that apply to people with disabilities. The Americans with Disabilities Act of 1990 (ADA) and Section 504 of the Rehabilitation Act of 1973 address discrimination against disabled persons in employment, public services, public accommodations, communications, and in all programs, services, and activities provided by any federal agency. See Chapter 2, Management Common to All Alternatives and Chapter 3, Recreation, Environmental Consequences, Effects Common to All Alternatives sections in the FEIS for an expanded discussion.

**C9 Comment:** How are the special permits for people with disabilities going to be administered, who qualifies as a disabled person, what are the rules, what about assistants with the person, and how is game retrieval going to be handled?

**Response:** Each request will be evaluated at the field office or ranger district level on a case-by-case basis as specified by the Rehabilitation Act 1973. This is covered in Chapter 2, Management Common to all Alternatives and Chapter 3, Recreation, Environmental Consequences, Effects Common to All Alternatives in the FEIS.

**C10 Comment:** The combination of your existing route definition and an exemption corridor is terrible. At this point in time, virtually every dispersed recreation site accessible by present day vehicles is accessed by a track that would meet your definition for an existing route. By allowing travel on all of those, you obviate the need for an exemption corridor. By additionally providing an exemption corridor, you permit even more resource damage to occur as new, more powerful and competent vehicles are produced. Much of this resource damage will occur in riparian areas alongside the many roads that follow drainages some of the most valuable and already most degraded habitats on our public lands.

**Response:** Repeated use has resulted in routes to many popular campsites. However, in eastern Montana, public lands and use are dispersed enough that many sites do not have routes to them. The 300-foot exception would allow for this use to continue and would allow campers to be far enough off the road to reduce the effects of noise and dust. The BLM and FS have the authority to immediately close areas and trails if vehicles traveling off road are causing considerable adverse effects to riparian areas or streams.

**C11 Comment:** One problem I see with all of the last three alternatives, is the restriction of 300 feet for camping. I can show you numerous places in the Beaverhead National Forest where the existing campsites are well over 300 feet off the existing road. This restriction will put all campers camping on top of one another rather than dispersing out and using more of our public lands.

**Response:** The exception does not propose to restrict camping within 300 feet of a road or trail. Rather, it would set the maximum distance one may drive cross-country for camping. To camp farther than 300 feet from a road or trail, campers could park their vehicle up to 300 feet off the road, then transport their camping gear any distance they choose by nonmotorized means.

**C12 Comment:** I also am dismayed that Alternatives 2, 3 and 4 would permit cross-country travel for camping “within 300 feet of existing roads and trails.” In essence, this could create 600-foot wide corridors for motorized use, which again I find totally unacceptable, even if the routes would be “the most direct” and selected “by nonmotorized use.”

**Response:** Page 15 of the DEIS states that motorized cross-country travel for camping is by the most direct route after site selection by nonmotorized means. The terms “most direct route” and “site selection by nonmotorized means” were chosen to address the issue of cross-country travel under the guise of camping. The 300 feet allows campers to get away from the traffic and dust, affording more privacy (page 29, DEIS, Alternative 2).

**C13 Comment:** The exception for driving to a dispersed campsite should be applicable only when within 300 feet of an official road. The danger of the 300 foot and game retrieval allowances is that it sets in motion a pattern of abuse for two-track routes “established by regular use and continuous passage of motorized vehicles.” This goes against the DEIS objective to “prevent further resource damage by eliminating expansion of motorized routes.” Once 300 foot spur routes become established, motorized recreationists can very well construe the policy to mean another 300 feet and on and on ....

**Response:** It is not the intent of the agencies to allow this to occur. The BLM and FS have the authority to immediately close areas and trails if



vehicles traveling off road or trail are causing considerable adverse effects to soil, water, wildlife or vegetation, or are causing user conflicts. For additional information see pages 6 and 7 of the DEIS.

- C14 Comment:** Why are you allowing game retrieval in eastern and central Montana, but not in the west? Allowing big game retrieval “will cause problems” for eastern Montana; enforcement is impossible, erosion in steep country, damage to riparian and wetland areas, unfair advantage for OHV users, and allows virtually unrestricted use.

**Response:** Many factors were considered in deciding how to address big game retrieval throughout the three-state analysis area. Probably the most influential factor for proposing big game retrieval as an exception on BLM lands in central and eastern Montana was to be consistent with other public lands that allow big game retrieval. It is inconsistent and confusing to prohibit big game retrieval on some lands when it is allowed on other lands, both of which are managed by the same BLM office. Another factor that supported allowing big game retrieval in eastern Montana was a travel planning effort completed by the Eastern Montana Resource Advisory Council in 1998. This Council facilitated a public workgroup that developed travel management guidelines for BLM lands in the Miles City and Billings Field Offices. One of the guidelines allowed motorized wheeled cross-country travel for big game retrieval. Fewer hunters distributed over a larger geographic area and terrain also influenced the development of the alternative.

The FS in Montana has traditionally prohibited motorized wheeled cross-country travel for game retrieval on lands closed to motorized cross-country travel during the hunting season. This tradition in western Montana also influenced BLM’s management practices as evidenced by past multi-agency travel plans where motorized cross-country game retrieval is not allowed where travel restrictions are in place.

Under the Preferred Alternative (Alternative 5) in the FEIS, motorized wheeled cross-country travel for big game retrieval would not be allowed although the use of roads and trails to retrieve big game could continue. This big game retrieval requirement would also apply to those areas covered by the BLM’s Big Dry and Judith-Valley-Phillips resource management plans where mo-

torized wheeled cross-country travel is currently allowed for big game retrieval. This game retrieval restriction would: reduce the conflicts between motorized and nonmotorized users during the hunting season; reduce the potential for introducing invasive weeds; reduce the potential for soil erosion; reduce the potential for impacts to wildlife; be more responsive to numerous public concerns that were expressed about the inappropriateness of allowing an exception for game retrieval; and be consistent with the long-term goal of using vehicles on designated routes. This would also provide a consistent policy across agency boundaries.

- C15 Comment:** The game retrieval concept allowed by the most direct route could be conducive to erosion in steep country or through wet meadows or riparian areas. Perhaps different wording is needed.

**Response:** One trip in and out is seldom enough of an impact to initiate erosion. The BLM and FS have the authority to immediately close areas or routes if vehicles driving cross-country are causing considerable adverse effects to soil, water, wildlife or vegetation.

- C16 Comment:** According to the EIS, closing areas to motorized wheeled cross-country travel should allow nature to reclaim damaged areas. How will the agencies ensure that such natural restoration will actually occur?

**Response:** The portions of Chapter 3 in the FEIS that refer to reclaiming damaged areas has been clarified to read, “... would allow damaged areas to revegetate..” To help natural restoration, the agencies would use a combination of signing, educational materials, monitoring, and enforcement.

- C17 Comment:** The agencies assume that in implementing the Preferred Alternative, game retrieval would occur primarily on existing roads and trails and that hunters would not hunt cross-country. Yet Page 22 notes that hunters drive or chase game cross-country to get a better shot. And Page 63 notes that motorized travel has led to unethical sportsmanship, with hunters taking flock shots at long ranges with disastrous results and crippling losses; and that a one-time game retrieval opportunity would be enforceable. But how would game retrieval restrictions be enforced? Page 38 of the DEIS itself notes that enforcement could continue to be a problem.

**Response:** Pages 22 and 63 of the DEIS provide information on activities that occur under an open designation where vehicles are allowed to travel cross-country. Under the Preferred Alternative, hunters would not be allowed to drive cross-country to hunt or scout game. Page 38 of the DEIS is not providing an agency opinion on enforcement. This section presented an opinion on some of the comments the agencies received. In addition to agency law enforcement personnel, the BLM and FS have a cooperative agreement with the State of Montana that authorizes Montana Fish, Wildlife and Parks law enforcement personnel to assist the federal agencies in enforcing travel restrictions during hunting season in Montana.

- C18 Comment:** The State of Montana reports that 22 percent of Montana households have registered recreational OHV's, including snowmobiles. The FS reports that a significant majority of nonmotorized trail users say, in surveys, that they avoid trails used by motorized users. Why do the FS and BLM propose alternatives that favor OHV users to the disadvantage of the majority?

**Response:** The agencies are not favoring one use over another. Executive Orders and regulations require the agencies to designate areas open, limited/restricted or closed to off-road vehicle use. Once the area designations are completed the agencies would move to the next step, which is site-specific planning. During this process, issues related to motorized travel on roads and trails, and balancing this use with other uses and resources will be addressed.

- C19 Comment:** I believe that the purpose of the study, to address only OHV access, addresses the wrong issue. The proper issue that should be addressed is to develop a plan that provides for beneficial use by the majority of existing and potential users while preserving, so far as practical, the existing environment. To develop an objective plan for beneficial use by the majority of potential users (not just the few "preservationists," existing cattle ranchers and outfitters), an objective study that addresses all uses with quantitative analysis must be performed. That study will support the conclusions with quantitative (analytic) data rather than unsupported assertions.

**Response:** This comment suggests the same process the agencies intend to follow after this FEIS is completed as described under Scope of

Analysis in Chapter 1. Once the area designations are completed through this FEIS, the agencies would move to site-specific planning, which involves inventory, mapping and designation of roads and trails. At that time, integration of other resource objectives and recreation use could be incorporated. This process would include extensive public involvement and additional NEPA analysis, which would be more site-specific and quantitative.

- C20 Comment:** Planning should be based on examination of all existing roads and trails, most of which have developed through traditional uses that reflect a broad range of multiple uses important to Montanans and others who visit the State to recreate. In looking at existing roads and trails, the draft analysis needs to be expanded in scope to include other recreational uses, especially the impacts of horses and mountain bicycles. While the purpose of the DEIS was intended to address impacts of wheeled vehicles, the findings to date apply to all users. We support a policy of coexistence and tolerance of a variety of uses, including motorized recreation, on our public lands. Actual user conflict continues to be overstated by some of those who evidently would like to severely limit opportunities for motorized recreation, rather than working to assure equal access. We urge the recognition of the need to maintain existing motorized recreation opportunities and adoption of a policy of all multiple users sharing our public lands.

**Response:** As described in Chapter 1 under Purpose and Need, this FEIS is only addressing motorized wheeled cross-country travel. Use of roads and trails and other recreation activities would be addressed in subsequent site-specific planning.

- C21 Comment:** Clearly, a competitive mountain biker aggressively riding his or her bike on a single-track trail, in the national forest is not seeking a "quiet type recreation experience." The same is arguably true for the equestrian using public lands to practice the sport of endurance riding. Although some hikers and hunters are bothered by OHV use, others are not. The EIS makes no effort to differentiate regarding the scope of the conflict problem or the effect of any of the proposed alternatives on OHV or non-OHV use.

**Response:** This EIS is a programmatic document and the analysis needs to be commensurate with

the scope. Subsequent site-specific planning efforts would provide opportunities to address other recreation uses. For additional information, see Scope of Analysis in Chapter 1.

**C22 Comment:** The only time I see a real problem with off-road use is during the hunting season (Sept. 1-Nov. 31). I feel with a seasonal closure of off-road travel there would be fewer user conflicts.

**Response:** The BLM and FS recognize that in many areas, issues related to motorized use occur primarily during the hunting season. The alternatives offer a range of restrictions during the hunting season. Specifically, Alternative 4 proposes seasonal restrictions that addresses use during the hunting season. See Chapter 2, Alternatives Considered in Detail of the FEIS.

**C23 Comment:** The FS and BLM are trying to overplay the user conflicts. Conflicts aren't that common. Such a small percentage of users are motorized. You don't have a legitimate problem. There has not been a conflict between users; none have shown up in the open houses or documents.

**Response:** The comments received during scoping and on the DEIS indicate there are user conflicts. See Chapter 4 of the FEIS, Summary of Public Comments on the DEIS.

**C24 Comment:** The document states that: "Minimizing motorized cross-country travel would reduce the number and intensity of conflicts between motorized and nonmotorized recreationists." This statement is repeated over and over in one form or another and highlights a major flaw in this DEIS. It is biased in favor of nonmotorized recreation. Why should motorized users bear the brunt of reducing conflicts? An unbiased approach would propose establishing equally large areas for the exclusive use of motorized recreationists. Other areas of concerns are also impacted by nonmotorized users but only motorized use is being restricted.

**Response:** This FEIS is not about setting aside areas for any particular type of recreation activity. The focus is on motorized wheeled cross-country travel and minimizing further problems associated with that use. After completion of the FEIS, site-specific planning at the local level would provide opportunities to address balancing the needs of motorized and nonmotorized users, in-

cluding opportunities to establish intensive OHV use areas. EO's and regulations speak directly to restricting OHV use to minimize conflicts.

**C25 Comment:** While identifying user conflicts as one of the primary reasons for developing the plan, the preferred alternative could actually exacerbate the problem. The DEIS suggests that under the preferred alternative "user conflicts would be substantially reduced," yet fails to consider that OHV's would be restricted to legal and illegally constructed trails, the very trails that most public land backpackers, hiking families, llama packers, horseback riders, nonmotorized guides and outfitters, Elder hostel groups and other "tranquility seeking" public land visitors use to access our public lands. Therefore, the amount of user conflict is likely to increase under the preferred alternative.

**Response:** The agencies' assumption was that most motorized users who drive cross-country would shift their use to roads and trails. The Definition of Motorized Wheeled Cross-Country Travel in Chapter 2 defines routes where motorized use would and would not be allowed. Generally, most of the motorized use on public lands is on roads and trails. Because motorized wheeled cross-country travel is a small amount of the overall motorized activities on public lands, a shift in use from cross-country to on-road/trail should not substantially increase motorized use on existing roads and trails.

**C26 Comment:** The EIS asserts that there has been an increase in user conflicts commensurate with the increase in OHV usage. A conflict is defined as an activity that "reduces the recreation use of another user." No statistics are provided in the EIS to show how user conflicts have increased as a consequence of OHV use. No statistics are provided to show whether the increase in user conflicts is attributable to an increase in OHV use, or attributable to increases in other forms of recreational usage such as mountain biking, horseback riding, or hiking. The EIS does not provide any information regarding whether an increase in user conflicts is either directly or indirectly related to an increase in OHV use. In addition, the EIS fails to describe how conflicts will be remedied as a consequence of any of the proposed alternatives. The EIS fails to analyze whether its definition of user conflicts is relevant or meaningful. The EIS fails to analyze whether the foregoing "conflicts" rise to such a level of importance that people

experiencing the conflict would choose to have either mountain biking, hiking, or equestrian activity discontinued simply because their recreational activities were reduced. The assumption of the EIS is that recreational activities must be terminated if a user's recreation experience is "reduced," even though the user may not wish to curtail other users' activities. Clearly, conflicts exist between mountain bikers, equestrians, hikers, and motorized users. The question is whether these recreational activities should be curtailed because of conflict. The EIS makes claim that "most known nonmotorized recreationists are usually seeking quiet type experiences and feel the noise, exhaust fumes, and wheel tracks left behind from motorized cross-country travel conflict with and reduce the quiet, more primitive recreation experience they are seeking." (DEIS, page 22)

**Response:** This FEIS does not propose to eliminate recreating with OHV's. The analysis in Chapter 3 concludes no recreation activities would be eliminated, but opportunities to drive cross-country would be eliminated. This would not preclude OHV use as an activity, as there are many miles of roads and trails open to this use. The FEIS also explains in Chapter 1, Scope of Analysis in Chapter 1 that during site-specific planning there would be opportunities to identify areas where intensive OHV use is appropriate.

Comments on the shortcomings of the FEIS with respect to analyzing user conflicts are relevant at the site-specific planning level. To include such an analysis would require gathering information on all uses and analyzing impacts of motorized travel on roads and trails as well as cross-country. As explained in Chapter 1, the purpose of this FEIS is to address motorized wheeled cross-country travel. Road/trail use would be addressed in site-specific planning at the local level that includes public involvement. EO's and regulations specifically address restricting OHV use to minimize conflicts.

**C27 Comment:** Privately owned lands in Montana are now becoming less available for public recreation. This fact, in combination with the restrictions embodied in all of the alternatives, will force the public to use any remaining open areas intensively. You need to recognize this possibility and include in your proposal the designation of areas managed specifically for intensive off-highway use. This would address some of the needs or preferences identified by persons living in nearby communities.

**Response:** The agencies recognize that there would likely be a need to provide additional intensive OHV opportunities. Consideration was given to addressing these opportunities in the DEIS. However, these opportunities are more tied to local needs and are more appropriately addressed during site-specific planning. See page 4 of the DEIS under Scope of Analysis.

**C28 Comment:** The DEIS does not consider the impact on recreational opportunities for aging recreationists. The only consideration is addressed in Alternative 4.

**Response:** The DEIS and FEIS discuss the effects to aging or older recreationists for each alternative in the Social section of Chapter 3.

**C29 Comment:** In Table S.2, under Social Issues, you have a category entitled Aging Recreationists. Who is representing and defining this group? I resent this categorization. Perhaps "physically handicapped or unfit" might be a little more accurate, inclusive and somewhat less offensive. I am 64 years of age, have knees totally worn out of cartilage, which I guess would make me aging and impaired. I feel a personal loss of freedom, opportunity and esthetic pleasure anywhere OHV's infringe on my public land experience. Where is my identified environmental issue?

**Response:** Conflicts between motorized and nonmotorized recreationists and the effects on nonmotorized recreationists are discussed extensively in both the Recreation and Social sections. The Social section has been revised in the FEIS to reflect the concerns about personal loss of freedom. These sections apply to persons of all ages.

The term "older" recreationist has been substituted for "aging" recreationist in the FEIS. This term is used in the context of recreationists who are getting older and are less able to participate in the more demanding activities that they did when they were younger.

Table S.2 Summary of Environmental Consequences in the DEIS, which discusses aging recreationists, has been revised in the FEIS. The text in the Social sections of both the DEIS and FEIS indicates there is no clear evidence that recreationists will switch to OHV activities as they become older and less able to participate in more demanding activities.

**C30** **Comment:** People of the mind to use OHV's have likely always been of the mind to use OHV's; few, if any, make the transformation to being an OHV user because of increasing age. You provide no demographic information to support the contention that a significant or disproportionate percentage of the elderly utilize ATV's or motorcycles to access Montana's backcountry. In the final EIS I assume you will either provide some statistical data to indicate that off-road motorists constitute a significant and disproportionate percentage of Montana's aged population, or acknowledge that this is a nonissue fabricated by OHV organizations. Your acknowledgment on page 35 that we don't really know what changes in recreational pursuits are caused by aging should inform your analysis of this issue. By including this category in the list of identified issues-and concluding that there would be some particular impact on the aged you gave this contention a false legitimacy. Either drop it from the final EIS, or include a category of impacts on young and middle-aged recreationists. In this category I'll expect you to consider any reduction in nonmotorized recreation areas (and every expansion of motorized areas and routes results in a reduction in nonmotorized area) as negatively affecting the young and middle-aged. After all, if the aged make up a disproportionate number of those who drive on public lands, by definition the more youthful make up a disproportionate number of those who do not.

**Response:** The recreation discussion in the Social section of Chapter 3 includes all ages, except where a specific age group is mentioned. The older population is discussed separately because this is a growing population and concern about this population was raised during the scoping process.

Table S.2 Summary of Environmental Consequences in the DEIS, which discusses aging recreationists, has been revised in the FEIS. The text in the Social sections of both the DEIS and FEIS indicates there is no clear evidence that recreationists will switch to OHV activities as they become older and less able to participate in more demanding activities.

Information from the Montana Trail Users Study about the average age of different types of recreation participants has been added to the document. This information indicates the average age of adult participants was concentrated in the late 30's and early 40's for both motorized and nonmotorized activities with very little difference between the

two types of activities. The oldest group was walkers with an average age of 45.

**C31** **Comment:** Every person, from the day of his/her birth is "aging." If you mean "older," then I would like to see some data on which age classes actually travel cross-country.

**Response:** The term "older" recreationist has been substituted for "aging" recreationist in the FEIS. This term is used in the context of recreationists who are getting older and are less able to participate in the more demanding activities that they did when they were younger.

Information from the Montana Trail Users Study about the average age of different types of recreation participants has been added to the document. This information indicates the average age of adult participants was concentrated in the late 30's and early 40's for both motorized and nonmotorized activities with very little difference between the two types of activities. The oldest group was walkers with an average age of 45.

## ROADS AND TRAILS

**D1** **Comment:** You need to designate roads and trails where motorized use is allowed, specify the type of vehicle permitted, map existing roads and trails, and involve the public.

**Response:** The mapping and designating of roads and trails would be determined through site-specific planning at the local level, with public involvement. See discussion on pages 3 and 4, Purpose and Need, pages 11 and 12, Management Common To All Alternatives, and Appendix B of the DEIS.

**D2** **Comment:** Nowhere did you address increasing the trail inventory to compensate for the loss of public land currently available for OHV use.

**Response:** The amount of trail needed as part of the permanent transportation system would be determined through site-specific planning.

**D3** **Comment:** Develop a more extensive assessment of the effects OHV's may have in the Great Plains environment. Are they a major contributor to the expansion of noxious weeds? Is OHV traffic causing a proliferation of new trails? Page 60 of the DEIS indicates many of the pioneered roads and trails were started and developed in the hunt-

ing season. We do not believe the data is sufficient to reach this conclusion in North Dakota.

**Response:** This is a broad assessment covering several diverse ecological regions. Reports from BLM and FS offices indicate that the Purpose and Need covered in Chapter 1 applies to BLM and NFS lands in the Great Plains. Field units report that OHV's traveling cross-country do presently or have the potential to spread noxious weeds, cause erosion, damage cultural sites, create user conflicts, and disrupt wildlife and damage wildlife habitat in the Great Plains. The part referred to about pioneered roads and trails being started and developed in the hunting season was out of place and has been moved in the FEIS to the Rocky Mountain Region.

**D4** **Comment:** Are roads and trails that are clearly visible on the ground, but not shown on a map considered "existing routes"?

**Response:** Yes, if a route is visibly evident on the ground and physically meets the definition discussed in Chapter 2 but does not show on a map, it is an existing route. Many roads and trails do not show on agency maps, including some FS "system" roads.

**D5** **Comment:** The definition is too vague, confusing, flawed, difficult to enforce, and needs to be rewritten. There is no clear distinction between livestock, game, and approved trails.

**Response:** The definition has been rewritten in Chapter 2 of the FEIS.

**D6** **Comment:** How are the agencies going to proceed with quantifying recreation use in order to make value judgments on BLM lands and how are they going to equate this with FS procedures? This plan should put forward guidelines regarding what will be considered a "trail" and how decisions on the kind of uses allowed on trails will be made.

**Response:** Determining recreation use and making value judgments for site-specific roads and trails are outside the scope of this FEIS. The BLM and FS will continue to work together for travel management consistency between agencies.

**D7** **Comment:** The Public Lands Access Association has taken legal action to open nonsystem routes in the name of the public. Had they been system roads, the FS would have challenged their clo-

tures. A qualifier must be added to keep open all existing routes, available for public use, that serve as important access to and within national forests.

**Response:** No existing routes are being closed with this proposal. All existing routes are being held in a status quo situation until site-specific planning and analysis, which includes public involvement, is completed. Site-specific planning and analysis would determine the permanent transportation system.

**D8** **Comment:** On page six of the DEIS, there is a discussion about the status of user-created roads and trails. The DEIS indicates that both FS and BLM regulations prohibit the construction or maintenance of roads and trails without a permit. The DEIS does not define what constitutes construction or maintenance other than stating that roads or trails which have developed through repeated use are not considered to be constructed. If these types of facilities are not closed to use by this DEIS decision, do the agencies plan to provide regular maintenance for them until their status is decided by site-specific analysis? If not, will maintenance of these facilities by the public be done in violation of agency regulations?

**Response:** No, the agencies are not planning to put these routes on a maintenance schedule through this EIS and plan amendment. However, this does not preclude public land users from providing the agencies information on maintenance needs nor does it preclude the agencies from performing maintenance on a route, especially where public health or safety is concerned, or closing the trail for safety where considerable adverse environmental effects are occurring.

As implied in the comment, maintenance performed without agency authorization is a violation of federal regulations.

**D9** **Comment:** The EIS also states that no new user-created roads or trails could be established. It is difficult to understand why user-created roads and trails that have been developed in the past are OK, but it is not acceptable for new ones to be developed. If new ones are bad, why are old ones acceptable?

**Response:** The BLM and FS are not proposing to validate any existing user-created roads or trails through this EIS. Road and trail decisions would be made through subsequent site-specific plan-

ning. For further information, see Chapter 1, Purpose and Need, Appendix B of the FEIS and Responses to A59 and B37.

- D10 Comment:** This DEIS throughout makes the assumption that off-route travel is going to go more places. I suspect that just about every place that is reachable has already been ridden to. Can you substantiate that your assumption is correct?

**Response:** Monitoring of OHV travel at FS and BLM offices indicates that problems exist where unrestricted motorized wheeled cross-country travel is allowed, including new user-created roads. Numerous comments were received on the DEIS citing specific examples of newly created routes.

- D11 Comment:** A track defined by crushed vegetation (Figure 2.3) should not be acceptable since they would be easy to make after the plan is adopted.

**Response:** By the definition in the DEIS, two-track routes must be clearly evident and formed from regular use and continuous passage of motorized vehicles. Figure 2.3 in the DEIS depicts more than just crushed vegetation. This route has a definite profile (wheel depressions) caused by years of motorized use. Crushed vegetation by itself is considered cross-country travel and is not acceptable (Figure 2.1). The BLM and FS have the authority to immediately close areas and trails if motorized vehicles traveling cross-country are causing considerable adverse effects to soil, water, wildlife, vegetation, or are causing user conflicts. For additional information see pages 6 and 7 of the DEIS.

- D12 Comment:** How long will it take to map all the user-created roads and trails?

**Response:** Some inventory projects are in progress now. For additional information see Chapter 1, Issues, "How will site-specific problems be addressed soon enough with a 10-15 year window for completion of site-specific travel planning?" on page 6 in the DEIS and also Appendix B in the FEIS. The projection for completing site-specific planning is estimated to be between 1-15 years. During that period, the agencies have authority to close routes that are causing considerable adverse effects.

- D13 Comment:** Photos in the Summary illustrate inappropriate use of single and two-track trails. Yes, such uses are inappropriate; why aren't they

illegal? The ATV shown on the single-track trail begins making it into a two-track trail, and then the pickup truck begins expanding that usage into a road. This escalation of user-created tracks and roads is part of our ever increasing problem.

**Response:** The term "inappropriate" has been deleted from the photo captions. The figures show what is and is not considered cross-country travel. Use of an ATV on a single track trail would be a citeable violation.

- D14 Comment:** The concern is that we will lose routes because of disuse. Trails that have come about from frequent use will become illegal if not traveled long enough so that vegetation overtakes it. This concern could actually result in an increase in motorized use. Those of us who are concerned about losing routes to disuse may feel compelled to travel them more frequently for no reason other than to keep it established.

**Response:** Your concerns need to be raised with the FS or BLM office that administers the area so that a record of use can be established before or during site-specific planning.

- D15 Comment:** Trails are also extremely difficult to follow where there is guided horse use. It seems they find it necessary to take a different route each time they pass. A lot of these "horse user" built trails end up going nowhere, so an OHV user will probably cut across country to try and pick up the real trail. If you are really concerned about user-built trails, you would be mostly addressing horse users in this DEIS. Go to any area that has much horse use and you will find two to a dozen, more or less parallel trails all braided together. I've seen these parallel trails even in wilderness. They often look just like an OHV track.

**Response:** This EIS is addressing motorized wheeled cross-country travel. Issues related to horse use should be addressed in site-specific planning or other comprehensive recreation planning for nonmotorized use.

## WILDERNESS/ROADLESS AREAS

- E1 Comment:** You are legitimizing motorized roads and trails, including those created by casual use, within roadless areas and this is inconsistent with protecting wilderness values. The EIS offers no protection for the 3.4 million acres of roadless areas in the Crazy Mountains, Pintlers, Sapphires,

Gallatin, Bitterroot Range, Big Hole, Rocky Mountain Front, Continental Divide, Little Belts, Snowies, and Pryors.

**Response:** See pages 30 and 31 of the DEIS. No casual use created roads and trails are being legitimized with this proposal. All existing routes are being held in a status quo situation until site-specific planning is implemented. Site-specific planning and analysis would determine what roads and trails need to be part of the permanent transportation system. The proposal in the FEIS is about preventing further damage from motorized wheeled cross-country travel wherever it occurs. It is not specifically about protecting or restoring roadless area values. Current forest plan management direction did not prohibit motorized use in these roadless areas.

**E2** **Comment:** The preferred alternative fails to comply with the BLM policy and regulations respecting the management of wilderness study areas.

**Response:** No motorized wheeled cross-country travel is allowed in BLM Wilderness Study Areas, and the BLM Wilderness Study Areas are not part of this FEIS. See the discussion in Affected Environment, Inventoried Roadless, Recommended Wilderness, and Wilderness Study Areas, page 30, DEIS.

**E3** **Comment:** It is not clear whether the exceptions to restrict motorized cross-country travel also apply to roadless, recommended wilderness, and wilderness study areas.

**Response:** The exceptions to restrictions do apply if the current forest plan or resource management plan allows motorized use. This is now stated in Chapter 3, Inventoried Roadless, Recommended Wilderness, and Wilderness Study, Environmental Consequences section of the FEIS.

**E4** **Comment:** The DEIS fails to qualify and analyze how many acres of roadless, wild and natural public land areas exist today in Montana and the Dakotas, how many are accessible by trails, and what are the long-term effects of increasing and expanding off-road vehicle traffic on natural experiences and wildland characteristics.

**Response:** This is outside the scope of this FEIS. These questions are most appropriately covered in forest plans and in site-specific planning. This

FEIS is about avoiding future damage from motorized wheeled cross-country travel wherever it occurs and is not specifically about analyzing and protecting roadless areas and land with wildland characteristics.

## COMMERCIAL

**F1** **Comment:** Why should lease and permit holders get unrestricted access when others do not. Management policy should preclude further damage caused by lease and permit holders. Lease and permit holders will have to do what is best for the resource.

**Response:** Lease and permit holders do not have unrestricted access; their access is limited to activities related to the administration of their federal lease or permit. Persons or corporations having such a permit or lease can perform administrative functions on public lands within the scope of the permit or lease. However, this would not preclude modifying permits or leases to limit motorized wheeled cross-country travel based on further site-specific analysis to meet resource management objectives or standards and guidelines. Under the Preferred Alternative of the FEIS, the following examples of activities related to the administration of a lease are given: for a gas or electric utility, these activities could include monitoring a utility corridor for safety conditions or maintenance; for a livestock permittee, these activities could include building fence, delivering salt and supplements, assessing vegetative conditions, moving livestock, etc. When driving cross-country, these lessees and permittees should avoid riparian areas, avoid steep slopes, wash vehicles after use in weed-infested areas, travel with care near wildlife, avoid areas with important wildlife habitat, and travel with care near cultural sites.

**F2** **Comment:** It is crucial that permittees be allowed to travel cross-country to administer their leases. Otherwise, how will permittees be able to maintain fences, waterlines, etc? If permittees are not permitted to travel cross-country, this would create a real hardship. Regulations might be necessary, but it should be to correct problems that exist on a permit-by-permit basis.

**Response:** Under the Preferred Alternative of the DEIS and FEIS, lease and permit holders would be allowed to travel cross-country for activities related to the administration of their permit or lease. Persons or corporations having such a permit or



lease can perform administrative functions on public lands within the scope of the permit or lease. However, this would not preclude modifying permits or leases to limit motorized wheeled cross-country travel based on further site-specific analysis to meet resource management objectives or standards and guidelines.

- F3** **Comment:** Pages 79-81 of the DEIS assess the environmental consequences associated with mineral development. This assessment is lacking in appropriate detail, particularly given the current projected future levels of oil and gas development on the National Grasslands in North Dakota.

**Response:** The purpose of this EIS and plan amendment is to address impacts of motorized wheeled cross-country vehicle travel in areas that are currently open to motorized travel. Pages 79-81 of the DEIS present how OHV designations may affect vehicular travel associated with mineral activities. Travel restrictions do not depend on projected levels of future oil and gas activity. Projections of future oil and gas developments are available in the Northern Little Missouri National Grassland Oil and Gas Leasing EIS and the Southern Little Missouri Oil and Gas Leasing EIS.

- F4** **Comment:** Nowhere in this document is there a provision to allow a neighbor the right to retrieve a straying animal from a BLM allotment with the possible use of cross-country travel with an OHV. We strongly encourage language addressing this matter within the OHV EIS.

**Response:** Using an OHV cross-country to retrieve a straying animal from a BLM allotment would be allowed under use related to the administration of the lease or permit. In the absence of a permit or lease, the local BLM or FS office should be contacted.

- F5** **Comment:** Many of us have signed long-term agreements in the form of Allotment Management Plans and are bound by these agreements. Recommend that lessee OHV travel (only while administering leases) be removed from this document and be addressed in the specific management plans for their lease or upon its next required renewal, and not tied to what basically amounts to a recreational use document.

**Response:** The purpose of this proposal is to address the impacts of motorized wheeled cross-country vehicle travel on open areas that are cur-

rently available for cross-country travel. When designations are done, all exceptions must be identified and, therefore, all types of use must be included. Under the Preferred Alternative of the FEIS, livestock permittees would be able to travel cross-country with a motorized vehicle to perform activities related to the administration of their lease. However, this would not preclude modifying permits or leases to limit motorized wheeled cross-country travel based on further site-specific analysis to meet resource management objectives or standards and guidelines.

- F6** **Comment:** On page 36, column 2, first paragraph the DEIS states: "For all BLM permittees, permission to travel off-road for activities associated with the administration of their permit is implied rather than explicitly stated in the lease." Historically, BLM has recognized the permittee use of OHV's to administer their lease. Permittees need this to be guaranteed in writing, not implied.

**Response:** Livestock permittees do not currently have a guarantee that they can travel cross-country with a motorized vehicle to administer their lease. Under the Preferred Alternative of the FEIS, livestock permittees would continue to be able to travel cross-country with a motorized vehicle to perform activities related to the administration of their lease. However, this would not preclude modifying permits or leases to limit motorized wheeled cross-country travel based on further site-specific analysis to meet resource management objectives and standards and guidelines.

- F7** **Comment:** I would like to see a provision that allows permittees the ability to use motorized cross-country travel to cross leases other than their own when conducting livestock business. As ranches have increased in size, the ranchers have not always been able to purchase land that adjoins their present holdings. In my case the headquarters are 30 miles away from my BLM leases. Then I have more land six miles further on. Between these lands lie other BLM lands that I have to cross with my cattle. At the present time we use ATV's and horses to trail between places. Other BLM permittees are in the same situation.

**Response:** Currently, permittees must get a crossing permit for their livestock to access other public lands. However, this issue is outside the scope of this document, which deals with motorized wheeled cross-country travel.

**F8** **Comment:** We are against unrestricted OHV use by permittees because having no restriction on this type of use will create new OHV routes that can be legitimately followed by other OHV users. What restrictions on trails and road creation would permit holders be required to follow?

**Response:** Permittees currently do not have unrestricted use and would not have unrestricted use under the Preferred Alternative of the FEIS. Under the Preferred Alternative, motorized wheeled cross-country travel would be limited to activities related to the administration of the lease. When participating in these activities, the FEIS indicates permittees should avoid riparian areas and steep slopes. Following these guidelines would help to avoid creating new routes.

Restrictions on trail and road creation are discussed on page 6 of the DEIS and would remain the same. Trail and road construction or maintenance would require a right-of-way or temporary use permit.

**F9** **Comment:** There is one concern of mine that I don't think was addressed in the EIS. Currently, the FS and BLM lease their lands to licensed outfitters for hunting purposes. These leases are often far cheaper than what private land leases are going for in the same areas. Outfitters who control access roads and trails to BLM and NFS lands can drive on these roads and trails into and on these accessible lands that the general public must walk into from legal access points. This is unacceptable and is surely going to lead to future sportsman/outfitter conflicts. If the intent is to improve quality of recreation on public lands, then these roads and trails should be shut down to all unless all are allowed to use them. The Montana Department of Natural Resources has already addressed this situation on lands that they administer. I would like to encourage the FS and BLM to come up with a similar off-road use.

**Response:** This EIS is only addressing motorized wheeled cross-country travel. Improving access or improving the quality of recreation on public lands are issues addressed in agency land use plans. These issues are outside the scope of the analysis of this EIS, which is specific to motorized wheeled cross-country travel. For additional information, please refer to Chapter 1, Purpose and Need in the FEIS. The BLM and FS do not lease public lands for outfitter/guide operations, but authorize outfitter/guide use through special use permits.

## SOCIAL

**G1** **Comment:** Another reason to restrict OHV use is to preserve a historically and culturally significant style of hunting in Montana by using pack animals. If Mom and Dad use only OHV's instead of using pack stock, the next generation will never learn this style of hunting.

**Response:** The purpose of this project is to address the impacts of motorized wheeled vehicles traveling cross-country. It is not a comprehensive recreation plan. Discussing different types of hunting in detail is outside the scope of this analysis and could be addressed during site-specific planning.

**G2** **Comment:** If roads are closed, further complications would develop, including loss of jobs and economic support to communities. We are also concerned about recreational opportunities on legal road systems and the inability to access areas to gather wood because of road closures.

**Response:** These comments are outside the scope of the analysis because this FEIS is not proposing road closures. The specific alternatives are discussed in Chapter 2 of the DEIS and FEIS. Economic impacts have been considered and are located in the Economic Section of Chapter 3 in the DEIS and FEIS.

**G3** **Comment:** In your list of other issues (page ii) you persist in your mistaken notion and recitation that OHV travel restrictions might infringe on personal freedom. OHV's are certain to result in restrictions on things like hunting opportunity for the majority of sportsmen and women. The quality of hunting has been degraded from additional OHV use and new routes into previously nonmotorized areas. Fairness of opportunity is an important value to hunters. Unbalanced use occurs when OHV's cruise up and down a ridge while foot hunters are quietly using stealth to approach elk on the same mountain. You need to address the pedestrian hunter's personal freedom.

**Response:** The purpose of this project is to address the impacts of motorized wheeled cross-country travel. It is not a comprehensive recreation plan. Discussing different types of hunting in detail is outside the scope of this analysis. However, the document does discuss effects to hunting such as conflicts with OHV's in both the Recreation and Social sections of Chapter 3 in the FEIS.

**G4** **Comment:** The DEIS should include additional evaluation of resource areas which support motorized recreational opportunities, including the number of people who benefit and enjoy (need); the importance of a healthy human environment (social and economic benefits); the equitable balance of opportunities (environmental justice); and the protection of local values and character, motorized recreationist's values and cultural diversity (cultural preservation).

**Response:** The issues raised in this comment are site-specific issues. This type of localized analysis would take place in site-specific travel planning. Many of the issues listed are discussed in the FEIS but at a more general level (see the Recreation and Economic sections in Chapter 3 and 4). For a clarification of environmental justice, see Response G8.

**G5** **Comment:** Environmental Advocacy - We all are conservationists. However, most of the public are not extremists. I don't know why you cater to only this group. Your analysis addresses this group but no other group. However, since you include this group, you need to include other groups such as OHVers and the ranchers, loggers, and miners as well as the hunters and fishermen.

**Response:** In addition to the group you identify, the discussion in the Social section includes motorized and nonmotorized recreationists, ranchers/permittees, the general public and residents of rural communities. These groups were analyzed in Chapter 3 because they would be most affected by the proposal.

**G6** **Comment:** In the summaries of the alternatives and elsewhere there is a category or group of people referred to as "environmental advocates." A clearer definition of this "group" is in order. There are many statements in the document that are not consistent with those who are educated in various areas of environmental management. Those inconsistencies need to be defined as opinion and not simply accepted as fact. If this grouping of "Environmental Advocates" are those who are the self-proclaimed special interest groups we are all too familiar with, it is a gross miscarriage of the truth to not define them as such in the documents. We are all concerned with the health and well being of our environment as well as its proper management. It is not for those of a particular opinion on how that management should be effected to "self-proclaim" their "Environmental

Advocacy" status and that status be given credence by the BLM or FS in official documentation.

**Response:** As stated in the DEIS, the section on environmental advocacy groups is based on letters received during scoping from these groups and individuals with similar ideas. The ideas in the discussion are clearly labeled as concerns and opinions rather than facts. In addition to this advocacy group, the Social section discusses the concerns, opinions and ideas of motorized and nonmotorized recreationists, ranchers/permittees, the general public and residents of rural communities (see Chapter 3, Social section of the FEIS).

**G7** **Comment:** A recent MSNBC poll asked the question, "Do you favor tighter restrictions on off-road vehicles in national park and forest areas?" 20% of the respondents favored tighter restrictions, 80% did not. A recent CNN poll asked the question, "Do you think that off-road vehicles should be banned from unpaved areas of natural forest land?" 15% said yes, 85% said no.

**Response:** The survey information that was included in the DEIS was collected by reputable research organizations using generally accepted data collection procedures to ensure that the information they collect is representative of the particular group they are surveying. The polls cited here, which collect data via the internet, are not scientific and reflect the opinions of only those internet users who have chosen to participate. The results cannot be assumed to represent the opinions of internet users in general, or the public as a whole.

**G8** **Comment:** The disclaimer on Environmental Justice (page 39 DEIS) should be dropped in light of the fact that Alternative 1 provides no disabled access.

**Response:** The EO on environmental justice indicates federal agencies are required to address "disproportionately high and adverse human health or environmental effects of its programs, policies and activities on minority populations and low-income populations" (EO 12898). The disabled are not a minority population under this order. The disabled access discussion found in the DEIS has been changed. In the FEIS, disabled access will be allowed under each alternative, including Alternative 1, per the Rehabilitation Act of 1973 (see Chapter 2, Management Common to All Alternatives).

**G9** **Comment:** The first paragraph of the statement under Cumulative Effects on page 39 should be stricken. It assumes long-term application with no further mitigation and that nonmotorized users have no other places to go. Even if nonmotorized opportunities decreased to zero due to increases in conflict with motorized users, they will still have trail opportunities in wilderness and other unroaded areas. The same cannot be said for motorized recreation.

**Response:** A sentence has been added to Chapter 3, Social, Cumulative Effects indicating that the loss of opportunities for nonmotorized users would also be offset by opportunities available in areas that have been closed to OHV use prior to this effort.

**G10** **Comment:** You oughtn't believe all this rubbish about the OHVs being the "regular folk" and the quiet trails advocates being a bunch of elitist snobs. How many hikers need or are able to plunk down a cool \$5000 to \$8000 to enjoy their chosen form of recreation? The various "pay-to-play" Fee Demo plans and other private/public partnerships work fine for OHVs simply because they are the ones most able to afford such an arrangement. Please take a look and include in the FEIS the survey of backcountry users in Idaho (Duncan, David and Ralph Maughan, 1978 "'Feet vs. ORV's' Are there Social Differences Between Backcountry Users?" J. of Forestry, 76(8) pp 478-480) that found that OHVs averaged higher incomes and were younger than nonmotorized recreationists. Research elsewhere has found that vehicle-based campers and backcountry campers had no significant differences in income levels, though both were above average (Burch and Wenger, 1967, USDA-FS Res. Pap. PNW 48, 29 pp.; Merriam and Ammons, 1967, Univ. of MN School of Forestry, 54 pp.)

**Response:** The references cited in this comment are all at least 20 years old. These references were examined and determined to be too outdated to offer accurate information about the people who are currently participating in motorized and nonmotorized recreation activity. The agencies relied on an extensive literature search for more recent research. The research referenced in document can be found in the Bibliography.

## ECONOMICS

**H1** **Comment:** What are the economic effects to the three States, and specifically to the OHV industry?

**Response:** The job and income effects were estimated for each State for the years 2005 and 2015 (see page 46 of the DEIS). The estimated economic effects (jobs and income) have considered the OHV industry. Tables 3.8 and 3.9 in the DEIS have aggregated all industry-specific information to the state level to simplify the tables.

**H2** **Comment:** There seems to be an error in the use of the ATV and motorcycle data when estimating vehicle use by vehicle type.

**Response:** The Montana ATV and motorcycle data was compiled by Montana Fish, Wildlife and Parks using Department of Justice, Title and Registration Bureau data, and had already been adjusted to reflect off-highway use (personal communication with Bob Walker 1999). Therefore, the aggregated Montana OHV and motorcycle data presented in Table 3.4 of the DEIS is comparable to the data reported for North Dakota and South Dakota.

**H3** **Comment:** If game retrieval is not allowed, I will be forced to sell my ATV at a devalued price, a factor not considered in your economic analysis.

**Response:** The current economic impact analysis found in the DEIS addresses the situation described (see Table 3.9 on page 46 for estimated economic impacts). The economic impact analysis is based on the assumption that if this proposal is adopted, 1% of registered vehicles that currently participate in off-highway activities by traveling cross-country would discontinue participating in OHV cross-country recreation in the three-state area.

**H4** **Comment:** The North Dakota Game and Fish questions the applicability of the Sylvester (1995) study to the Dakota Prairie Grasslands. Better information is needed for North Dakota.

**Response:** Given that site-specific information was not available at this phase of the EIS analysis, existing published literature was used to help estimate OHV use. It was viewed that the scientifically based phone survey conducted by Sylvester (1995) could provide a good approximation of

OHV use, even though it was based on users from southwest Montana. As better information is derived during site-specific planning, it will be used to better estimate economic effects.

**H5** **Comment:** The North Dakota Game and Fish questions the number of registered ATV's reported for North Dakota.

**Response:** The North Dakota ATV registration information displayed in Table 3.4 on page 42 of the DEIS was provided by the Motor Vehicle Division, North Dakota Department of Transportation. The ATV numbers in question were verified with Keith Kiser, the Director of the Motor Vehicle Division (personal communications with Keith Kiser on June 7, 2000). The 1998 ATV number has been revised to reflect the personal communication with Keith Kiser. A new report has been provided, which in their opinion provides a better estimate of registered ATV's in 1998 than the previous report. All other North Dakota registered vehicle information was verified and found to be correct. The difference between the two reports is attributable to the two-year registration cycle for ATV's. The correct number of registered ATV's for 1998 is 4,920, not 2,644 as originally reported in the DEIS. The correct number is entered into the tables, figures, and analyses where needed in the FEIS.

**H6** **Comment:** The economic analysis does not address the economic impacts to the lessees and permittees.

**Response:** Under the Preferred Alternative in the DEIS (Alternative 2) and FEIS (Alternative 5), management of OHV use by permittees and lessees would be consistent with current management and should not result in any adverse economic effects. Alternative 1 could possibly increase administrative costs to the permittee and lessee by requiring them to obtain authorization. If authorization is denied, the permittee would not be allowed to travel cross-country with a motorized wheeled vehicle.

**H7** **Comment:** What are the economic costs of OHV use to the following items: 1) weed control, 2) trail repair, 3) erosion control, 4) education, 5) law enforcement, 6) revegetation, 7) land reclamation, fire control, 8) litter cleanup, 9) lost wildlife habitat, and 10) threatened and endangered species.

**Response:** In general, the costs of these various items are dependent on how restrictive the alternatives are on motorized wheeled cross-country travel.

Prevention is the cheapest option for managing invasive exotics. In terms of specific costs, following are a couple of examples: First, it has been estimated that the projected annual economic loss from knapweed alone to Montana's range livestock industry will reach \$155 million if knapweed is allowed to continue to spread. This does not include losses to other industries as a result of weeds. Second, the economic loss attributable to leafy spurge in North Dakota is estimated to be in excess of \$14 million each year (Lajeunesse 1995). However, the estimated losses quoted here are from all sources of weed spread, not just OHV's. The No Action Alternative is the most costly, given that it maintains motorized wheeled cross-country travel. Alternatives 1, 2, 3 and 5 would lead to lower weed control costs since they are more restrictive. Alternative 4 would have weed control costs similar to the No Action, given its effect on OHV use.

Trail repair, erosion control, revegetation, and land reclamation are outside the scope of this analysis.

The current situation (No Action) would be the least costly for education and law enforcement. All other alternatives would require more education and law enforcement, thus increasing costs to the agencies.

At this time it is difficult to know the cost of litter control and how that cost would differ between the alternatives.

No economic analysis was done with respect to lost wildlife habitat, and threatened or endangered species. Please refer to the Wildlife section of Chapter 3 for a discussion of wildlife effects.

**H8** **Comment:** What are the economic impacts to the industries that cater to hikers, horseback riders, mountain bikers, etc.? In other words, what are the economic benefits to nonmotorized users by restricting OHV use to existing roads and trails?

**Response:** This document specifically addresses motorized wheeled cross-country travel. It was not meant to be a comprehensive recreation document that addresses the economic effects of all

recreation use. The opportunities for hiking, horse-back riding, mountain biking, etc. are not affected or are enhanced by restricting motorized wheeled cross-country travel.

**H9** **Comment:** The economics information presented is not useful in choosing between alternatives, since the affected OHV use is the same across all alternatives.

**Response:** Quantitative employment and income estimates were made for the No Action and combined Alternatives 1 through 4 in the DEIS. Specific assumptions were not made concerning the displacement of motorized wheeled cross-country travel for each Alternative. The assumption of 1% vehicle displacement applied to all Alternatives except No Action. Without the assumptions by Alternative concerning motorized wheeled cross-country travel, quantitative job and income estimates could not be made by Alternative. However, in the Economics section of Chapter 3 of the FEIS, quantitative estimates are displayed for Alternative 1, as well as the No Action. Alternatives 2, 3, 4, and 5 are addressed in relative terms, with comparisons to the No Action and Alternative 1 as reference points.

**H10** **Comment:** Your data on registered vehicles contradicts data collected by the University of Montana Institute for Tourism and Recreation Research (ITRR). ITRR states that 9.1% of adult Montanans participate in motorcycling, 11.8% in ATV usage, and 19.6% in 4X4 vehicle usage.

**Response:** The ITRR publication reports the percent of adults who participate in OHV activities based on a 1994 survey. The BLM and FS chose to base this analysis on data from the Motor Vehicle Bureaus because registration information provided 1) the most up-to-date information available, 2) a source of data which allowed a trend to be provided from 1990 through 1998, rather than just one year as in the ITRR publication, and 3) a reliable source of data that was readily available. It is difficult to determine if the ITRR report and the motor vehicle licensing information contradicts each other, since the ITRR survey is based upon individual users and the motor vehicle licensing information is based on registered vehicles that more than one individual can use. The BLM and FS found it more appropriate for this analysis to use information from the governmental agency that has the legal responsibility of registering those vehicles.

**H11** **Comment:** The EIS does not contain any recent or reliable empirical evidence showing the amount of current motorized wheeled cross-country travel occurring on public lands.

**Response:** The FS and BLM don't directly collect OHV use information. The estimated use reported in the DEIS was derived using information from 1) vehicle registration information from the Motor Vehicle Bureaus in the three States, 2) ATV and motorcycle information compiled by Montana Fish, Wildlife and Parks, 3) a 1995 study conducted by the Bureau of Business and Economic Research at the University of Montana, and 4) personal communications with FS and BLM field personnel who provided their professional judgments as to the percentage of vehicles they encountered in their daily fieldwork that were actively participating in motorized wheeled cross-country travel on FS and BLM lands.

**H12** **Comment:** What are the economic effects to the communities in the three states, and to the OHV industry in the communities in the three states?

**Response:** During the scoping process comments and questions were raised concerning the economic effects of this effort on the three individual states. These comments led to the state level structure of the economic impact analysis. This doesn't mean that individual communities are not affected. One must view the state level analysis as the summation of the effects over all of the communities in the three states. As reported in Table 3.9 on page 46 of the DEIS, this effort could have small negative impacts at the state level. At this time, the potential economic impacts are not expected to be concentrated in just a few communities, which should minimize the economics impacts on any specific community.

## CULTURAL RESOURCES

**I1** **Comment:** I would like to know exactly what cultural sites have been damaged and how often this has occurred. Where is the collaborating evidence to statements that OHV enthusiasts are damaging cultural and tribal resources?

**Response:** Examples of damage to archaeological sites from OHV travel are provided on pages 47-49 of the DEIS. There are documented OHV impacts to cultural resources and traditional use areas from the Kootenai, Beaverhead-Deerlodge, Gallatin and Lewis and Clark National Forests as

well as the Dillon Field Office and the Dakota Prairie Grasslands.

- I2** **Comment:** The use of the word “demise” on page 47 of the DEIS leads one to believe that the reservation system resulted in the demise of cultural integrity.

**Response:** The sentence has been revised to substitute the word “change” for “demise.” With the onset of the reservation system there was a change in tribal cultural integrity.

- I3** **Comment:** We recommend that impacts to native plant communities by OHV use be considered as an adverse impact to cultural resources.

**Response:** The effects of OHV travel on native plant communities are described on page 54 of the DEIS. The effects on specific culturally significant native plant communities would be addressed during site-specific planning.

- I4** **Comment:** You should consider an alternative that would actually protect cultural resources?

**Response:** Alternative 1 is considered to be the most protective alternative for cultural resources. During site-specific planning, inventories and evaluation of OHV use effects on cultural resources would be required as another step toward their protection.

- I5** **Comment:** By the EIS definition, OHVs could gain access to routes that may be misinterpreted in the proposed travel planning such as prehistoric trails, historic wagon trails and logging roads. The identification of these culturally significant roads as well as the identification of unauthorized roads or routes is dependent on public participation. The proposed EIS reveals that the public’s involvement in the process of the travel planning is limited.

**Response:** Public participation would be invited at all stages of site-specific planning.

- I6** **Comment:** How can you consider preferred Alt 2 to be equal in consequences to Alt 1 regarding the Cultural Resource issue when access to a resource will continue to exist and will not be shut down?

**Response:** Neither alternative shuts down the access, but the effects are not the same since

access of 300 feet is allowed under Alternative 2 for camping along the roads and trails. The cultural effects and Summary Table S.2 have been revised.

## VEGETATION

- J1** **Comment:** OHV travel not only spreads weed seeds, but also provides optimum conditions for noxious weeds to become established by disrupting the native plant community. Furthermore, OHV’s are able to transport weeds many miles into remote areas that would otherwise be weed-free.

**Response:** For a detailed discussion of invasive weeds, native plant communities, and effects associated with OHV use, see Chapter 3, Vegetation and Weeds, in the FEIS.

- J2** **Comment:** As for noxious weeds, why are OHV’s singled out as the problem? The EIS contains no information regarding what percentage of weed infestation is attributable to cross-country OHV use. Weeds are spread far more by livestock, hikers, horses, wildlife, even wind and water. You even state that “the elimination of motorized cross-country travel by itself would not make a large difference in weed spread.” It appears that the spread of noxious weeds by OHV’s is a small or nonexistent problem. This is a weak justification for OHV control.

**Response:** While it is true that invasive exotic weeds are spread by a multitude of ways, including animals (livestock or wildlife), people hiking, bicycling, all forms of motorized equipment, movement down streams, wind, etc., a review of weed inventory maps demonstrates the strong association of weeds with roads and trails commonly used by people and livestock that transport the seeds. In addition, these areas are kept perpetually disturbed through use. The roads and trails serve as the invasion corridors for many weeds, which then spread away from those locations. Due to the random nature of motorized wheeled cross-country travel, the spread of weeds to new locations is not easily detected. For additional information, see Chapter 3, Vegetation and Weeds, in the FEIS.

- J3** **Comment:** Vehicle travel on and off roads has been linked with high rates of establishment and spread of noxious weeds. Under alternatives 1 and 2, OHV’s would be restricted to roads and trails, which are both user-created as well as any design-

nated routes. By legitimizing existing user-created roads and trails, you fail to recognize the tremendous weed potential that continued use of these roads and trails would create. Our rich resource of native vegetation is at risk and is not sufficiently protected with this new designation.

**Response:** The alternatives considered in this FEIS will not change the status of roads and trails in open areas that are currently in use. Until site-specific planning is completed, these roads and trails will remain as unclassified. Site-specific planning would determine whether the road or trail becomes part of the BLM and FS permanent road and trail system or would be permanently closed. The BLM and FS have the authority to immediately close areas, roads and trails if considerable adverse environmental effects to soil, water, wildlife or vegetation, or are causing user conflicts are occurring. For additional information, see pages 6 and 7 of the DEIS. See Response A26.

**J4** **Comment:** Tribal use of plants is impacted through the introduction of exotic plant species by wheeled vehicles. Additionally, off-highway use provides access to remote areas that contain fragile native plant communities.

**Response:** Native plant communities are displaced when repeated OHV use occurs in a location, whether this use is occurring in a riparian area or upland. The impact of exotic invasive plants is tremendous on native plant communities. These issues are discussed in the DEIS on pages 54 to 58.

**J5** **Comment:** All ATV and motorcycle users on public lands should wash their vehicles prior to entering public lands. This requirement should be included in the descriptions of Alternatives 2 and 3 as a prerequisite for any exception to cross-country travel.

**Response:** The BLM and FS advocate and support the establishment of Integrated Pest Management (IPM) plans that use all suitable methods in a compatible manner to reduce weed populations to levels below those causing unacceptable economic or ecological consequences.

The agencies recognize there are some valid needs for motorized wheeled cross-country travel. However, when driving cross-country individuals should avoid riparian areas, avoid steep slopes, wash vehicles after use in weed-infested areas,

travel with care near wildlife, avoid areas with important wildlife habitat, and travel with care near cultural sites. Restrictions in riparian areas, areas with steep slopes, important wildlife habitat areas, etc. are addressed through the BLM and FS normal permitting and leasing processes based on existing management plans and best management practices. This is included under the Preferred Alternative, Alternative 5, in the FEIS.

**J6** **Comment:** The spread of noxious weeds should be actively attacked instead of simply restricting motorized use. The elimination of motorized cross-country travel by itself would not make a large difference in weed spread.

**Response:** There are ongoing federal, state, county, tribal, and private efforts to prevent, contain or control noxious weeds many of which are part of Integrated Pest Management (IPM) plans to prevent and control noxious weeds. Also, considerable work and funds are going into programs to educate the public in identifying noxious weeds to help prevent the various methods of weed seed dispersal. Site-specific planning would include educational efforts aimed at controlling the spread of noxious weeds and invasive plant species by OHV's. See Appendix B in the FEIS for a more detailed discussion on implementation.

**J7** **Comment:** The EIS does not address EO 13112 concerning invasive species. It appears that Alternative 2 would not be consistent with this EO.

**Response:** EO 13112, dated February 3, 1999, provides for 1) definitions of terms, 2) describes Federal Agency duties, 3) establishes an Invasive Species Council, 4) describes Council duties, 5) provides for the development of a National Invasive Species Management Plan, 6) provides for Judicial Review and Administration and generally provides guidance relative to managing invasive species on federal lands. As an EO, all federal agencies are in the process of complying with this mandate. This EIS and plan amendment is addressing the use of OHV on lands administered by the BLM and FS and is not addressing the subject of invasive species, except as an effect associated with OHV use.

**J8** **Comment:** The statement that weed free hay is required on BLM and NFS lands in Montana is false. It is only required in wilderness areas.



**Response:** The requirement to use certified noxious weed seed-free forage on all NFS lands and public lands administered by the BLM in Montana became effective in October 1997.

**J9 Comment:** In the DEIS on page 54, paragraph 6, you state that the western prairie fringed orchid has been documented on disturbed sites. So, disturbance can be good? Also on page 56, paragraphs 2 and 3 you talk about “potential” impacts. Where is the data and supporting evidence?

**Response:** This question is in two parts. The first part refers to the western prairie fringed orchid. Many species are adapted to particular disturbance regimes. Although this species is adapted to disturbances such as burning and grazing, these disturbance regimes can have positive or negative effects on western prairie fringed orchid populations, depending on frequency, intensity, and timing of the activity. For example, burning or grazing during certain parts of the plant’s life cycle may result in direct mortality of individual plants, or reductions in fruit and seed production. Conversely, properly timed grazing regimes and prescribed fire activities, at appropriate intensities, can result in the stimulation of flowering, fruiting, and seed production.

The second part refers to the word “potential” in assessing effects to threatened, endangered or sensitive species. In the case of the threatened western prairie fringed orchid there is data and documentation on effects that can be found in the DEIS for the Northern Great Plains Management Plans Revision. In addition, the U.S. Fish and Wildlife Service has completed a recovery plan for this species in 1996. Both the positive and negative effects of disturbances such as burning, grazing, mowing, roads, trails, ground disturbing activities, and noxious weed treatment are assessed in these documents.

The data and supporting evidence relating to impacts to sensitive plants are found at the local level for site-specific projects. In this project, reference is made to “potential” impacts to sensitive plant species because some species are more vulnerable to ground disturbing activities than others. Without site-specific analyses, these impacts cannot be determined. Each BLM field office or FS district office would have presently known information on sensitive plant species, including the data and supporting evidence on the impacts of various management activities. Due to the programmatic

nature of this project, these site-specific impacts have not been individually addressed.

**J10 Comment:** On page 56, paragraphs 6 and 7 of the DEIS, why not keep everyone out, including administrative use. This problem could easily be attended with a closure of the specific areas rather than a 3 state area closure.

**Response:** Paragraph 6 on page 56 of the DEIS refers to the effects of Alternatives 1 and 2 for the threatened western prairie fringed orchid. In this case, all OHV users are restricted, including administrative and lessees and permittees. Administrative use, lessees and permittees would require prior approval. In the case of Alternative 2, restrictions on administrative use, lessees and permittees apply only to known orchid areas. Since populations of western prairie fringed orchid are known and mapped, closing specific areas for this species is possible, however, this programmatic EIS encompasses numerous other resource concerns in addition to threatened plants. By only restricting known orchid sites, we would not be addressing numerous other resource concerns across the three-state area.

Paragraph 7 of the DEIS refers to the effects of Alternatives 1 and 2 on sensitive plant species. Under Alternative 1, motorized wheeled cross-country travel for administrative use as well as by lessees and permittees would be restricted and would require prior approval. Unlike the known populations of western prairie fringed orchid, many areas have not yet been surveyed for sensitive plant species, therefore, we do not know where all populations are located and cannot close off all sensitive plant locations. Site-specific surveys are conducted at the local level for individual projects.

## WILDLIFE

**K1 Comment:** User-created roads are a serious negative impact to wildlife.

**Response:** Impacts to wildlife from user-created roads are discussed throughout the Wildlife section of Chapter 3 of the DEIS. These roads are recognized as a negative consequence to wildlife of allowing continued uncontrolled use of OHV’s on all public lands (Existing Impacts from Vehicles on Wildlife, page 62 of the DEIS). Agencies have the authority to close roads immediately if motorized vehicles are causing considerable adverse effects to soils, water, wildlife or vegetation (page 6 of the DEIS).

**K2** **Comment:** “Effects of Recreation on Rocky Mountain Wildlife: a Review for Montana” 1999, Montana Chapter of the Wildlife Society should be used as a reference document for this EIS.

**Response:** As referenced on page 62 of the DEIS, this analysis relies on the cited document more than any other source for explanation of impacts on wildlife from vehicles and human intrusion. Most research relates to wildlife impacts from roads, not from cross-country travel. However, it is reasonable to draw the conclusion that the impacts are from vehicles and people whether the travel is on or off-road. When the frequency of disturbance is great enough to cause the impacts discussed, it should not make much difference if people arrived via road or cross-country or if they arrived on foot or riding a bicycle, on horseback or by OHV. The agencies did recognize that one of the impacts to wildlife could be from user-created roads (see Response K1).

Some researchers believe that extreme caution must be used when extrapolating study findings from the research area to all other habitats and situations and that the only true applicability is to the original research area. The three-state analysis area has many variables, which is one of the reasons the agencies would undertake site-specific planning before long-term decisions are made concerning individual roads and trails. (Page 64 of the DEIS, Effects Common to all Alternatives).

**K3** **Comment:** Virtually all of the impacts to wildlife identified in the wildlife section relates to impacts of general recreational activity upon wildlife or impacts of motorized use on roads and trails on wildlife. That makes me think OHV cross-country travel is not a problem. This DEIS substantiates my views.

**Response:** Most research describing the effects to wildlife from vehicular activity is from road or road system studies including recreational activity assisted by motorized means on roads and trails. Similar effects are certain to occur from motorized cross-country travel and this correlation is justified. If the motorized cross-country travel in an area is great enough, the effects could be greater given the larger area of influence afforded by cross-country travel. For additional information, refer to Chapter 3, Wildlife section, and the Biological Assessment (Appendix C of the FEIS).

**K4** **Comment:** Since snowmobiles are not part of this EIS how can impacts during winter be discussed. Impacts to wildlife on winter range from OHV's (DEIS page 63, paragraph 4) should not be discussed.

**Response:** The agencies determined snowmobiles to be outside the scope of this analysis (DEIS, page ii). Cross-country travel by motorized wheeled vehicles can occur on most lower elevation winter ranges throughout the winter in the three-state analysis area. Four-wheel drive SUV's are a principal means of travel during the winter in some areas of concern within the analysis area.

**K5** **Comment:** We are concerned that provisions were not made for predator control by a permittee or predator control people.

**Response:** The agency managers responsible for a particular area could authorize motorized wheeled cross-country travel for an individual or group performing official administrative business (such as for predator control). This authority would be through normal permitting processes and/or memoranda of understanding. See Alternative 5 (Preferred Alternative) in Chapter 2 of the FEIS.

**K6** **Comment:** The Montana Chapter of the Wildlife Society has recommended that undesignated as well as designated OHV routes be analyzed as open roads when calculating security habitat. New timber sales and other wildlife disturbing activities will need to be curtailed if OHV routes remain open because secure habitats are a required condition of such disturbing activities.

**Response:** This recommendation is appropriate during site-specific evaluations of particular areas. Agencies already follow this recommendation in most analysis processes. For example, as baseline information is layered for the grizzly bear access model these types of roads and trails have been included to determine road and trail density for a particular area.

**K7** **Comment:** Not enough baseline information or anticipated effects analysis was provided in the DEIS to determine what actually would be the overall effect to threatened and endangered (T&E) species.

**Response:** In response to comments and conversations with the FWS concerning the DEIS and how T&E species were addressed, the agencies

prepared a Biological Assessment, which is presented in Appendix C of the FEIS. Key to this issue is that site-specific planning would address T&E species and consultation would be initiated if the local manager and resource specialists determined that a species might be affected.

**K8** **Comment:** The current plan amendment is inadequate to meet the requirements of the NFMA for wildlife monitoring and inventory. I can find no information on indicator species population trends or the relationship of those trends to proposed habitat changes brought on by the OHV plan.

**Response:** The agencies recognize that with a broad programmatic analysis covering a three-state area, monitoring and inventory information is virtually impossible to collect and display (see Responses K1 and K2). When site-specific planning is addressed for a particular area, meaningful indicator species can be selected and a monitoring plan devised to measure effects from that particular travel plan.

**K9** **Comment:** The cumulative effects analysis for wildlife is incomplete and inadequate. To adequately analyze cumulative effects, the DEIS has to analyze the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonable foreseeable future actions regardless of what agency (Federal or nonfederal) or person undertakes such other actions. In the case of this NEPA document, the cumulative effects analysis for wildlife should have covered the past effects of OHV's on the landscape, as well as quantified future cumulative effects of the proposed alternative. Without any analysis, the cumulative effects analysis concludes: "The remaining alternatives are all positive actions for wildlife ..." Upon what is this based? The cumulative effects analysis for wildlife is incomplete and inadequate, and fails to provide the public with appropriate information to make a decision.

**Response:** The BLM and FS recognize past user-created roads as a cumulative effect (see Response K1) and the agencies believe that future effects from selection of any of the action alternatives (1-5) would be a beneficial effect because implementation of alternatives would slow down and possibly eliminate impacts to wildlife that are now occurring from cross-country travel, some of which leads to new user-created roads and trails. For more information see page 67 of the DEIS.

**K10** **Comment:** The DEIS does not adequately address wildlife linkage. American Wildlands submitted scoping comments on June 11, 1999 about the need to address wildlife linkage as the OHV strategy is developed. We sent maps and a scientific study about wildlife linkage in the region. These comments were not addressed in the DEIS.

The DEIS does not address wildlife impacts in more than a cursory fashion. The DEIS states that many wildlife impacts will be addressed on a site-specific planning level. The regional wildlife linkage concept, however, lends itself to consideration and analysis in this DEIS. The idea of wildlife linkage is becoming well known and accepted by the scientific community. The Inter-agency Grizzly Bear Committee is forming a subcommittee on grizzly bear linkage in the Northern Rockies. Many scientists have constructed models and analyzed wildlife movement in Montana, Idaho, Wyoming, and British Columbia. The Forest Service is considering issuance of a national direction on wildlife linkage, so that agency managers are encouraged to think outside of their particular boundary jurisdictions. All of this speaks to the need to consider wildlife linkage in regional planning for transportation. The DEIS OHV plan must consider and analyze this issue before a decision is made.

**Response:** The scientific study attached with the comment letter identified major travel corridors connecting mountain ranges throughout the northern Rockies. According to the study, problems with wildlife linkage normally occur when a corridor of impact such as an interstate highway or activities such as homes, ranches, towns, etc., separate one mountain range from another. The agencies have no evidence that motorized wheeled cross-country travel has been great enough for a long enough period of time over a large enough area to break such a link. This could be a possibility or it could be cumulative to all things that could affect linkages. However, the purpose of this FEIS is to minimize further impacts to wildlife from motorized wheeled cross-country travel. Fragmentation is discussed on pages 62-63 in the DEIS. Agencies are aware of the major corridors shown on the maps and given in the references supplied by the commenter. As site-specific planning occurs in these linkage areas the agencies would address the cumulative effects of particular roads and trails on linkage corridors.

**K11** **Comment:** The DEIS states motorized use disturbs and displaces game animals but no references are given for this conclusion.

**Response:** The environmental consequences to wildlife are discussed in Chapter 3 of the DEIS and FEIS. Several references are cited that address effects on wildlife from OHV use including the extensive literature review conducted by the Montana Chapter of the Wildlife Society. Refer to Chapter 3, Wildlife section of the FEIS and bibliography.

**K12** **Comment:** Why is the primary reference for impacts from vehicles on wildlife (DEIS, page 62) a literature review conducted by the Montana Chapter of the Wildlife Society?

**Response:** The Montana Chapter of the Wildlife Society conducted an extensive literature review, much of which relates to vehicular effects on wildlife. This literature review was one of the numerous references used for preparation of the wildlife section of the DEIS and FEIS. Refer to Chapter 3, Wildlife section and the bibliography for a complete list of references.

**K13** **Comment:** Many studies have been conducted which conclude that nonmotorized human presence stresses wildlife to a greater degree than human presence by motorized means. Why are none of these studies cited in the DEIS discussion? Why is there no discussion at all of the effects on nonmotorized human use on wildlife? This DEIS is incomplete without such a discussion.

**Response:** The purpose of this FEIS is to address impacts from the increasing use of OHV's on areas that are currently available to motorized wheeled cross-country travel. The Preferred Alternative would restrict motorized wheeled cross-country travel yearlong. This FEIS does not address the management of other recreation uses on BLM or NFS lands. Overall recreation management was addressed in each agency's forest plan and resource management plan. The FEIS is specific to motorized wheeled cross-country travel.

**K14** **Comment:** The plan does not state that any threatened, endangered, or proposed species are threatened, or will be threatened, by cross-country OHV use. In fact, no specific impacts associated with cross-country OHV usage are identified with respect to any endangered species. Because no impact is likely no action should occur.

**Response:** The agencies are directed under the Endangered Species Act (ESA) to protect habitats so that proposed species will not become listed as threatened or endangered, to insure that recovered species need not be listed again, and to not adversely affect or jeopardize the continued existence of any threatened or endangered species. With the accelerated use of OHV's the agencies are complying with the ESA. For additional information, refer to the Biological Assessment, Appendix C of the FEIS.

**K15** **Comment:** The peregrine falcon is identified on page 61 of the DEIS as a listed species. We suggest the BLM/FS remove the peregrine from discussion in this section because the species has been delisted.

**Response:** The discussion on the peregrine falcon has been removed from the Threatened and Endangered species portion of the FEIS.

**K16** **Comment:** Current lack of restriction on off-road travel increases the negative impact of recreational shooting prairie dog density and town expansion, especially during recover plague events. The Service disagrees with the statement that "shooting of prairie dogs is not allowed in key prairie dog towns." The BLM currently prohibits prairie dog shooting on 16 prairie dog towns in two counties. These towns total 1,045 acres of prairie dog colonies out of the 8 million acres of land administered by the BLM in Montana. In North and South Dakota, the proposed rules allow OHV use on prairie dog colonies that the FS proposed for expansion under Management Plan Revisions covering the Northern Great Plains Grassland Units. Prairie dog shooting often relies on OHV use and may impede efforts to expand prairie dog populations on NFS lands. OHV's may directly negatively impact nesting mountain plovers on many of these prairie dog towns. We do not know of any prairie dog towns administered by the FS in Montana that are closed to recreational shooting. Montana has one of the two remaining significant populations of the mountain plover, a species currently to be listed. Mountain plovers nest almost exclusively in active black-tail prairie dog towns in Montana. Any decrease in recruitment will add to the current downward trend of this species which may increase the likelihood for listing.

**Response:** BLM is currently participating in a Montana statewide group to determine what steps

will be necessary to protect prairie dog towns and associated species. BLM Washington Office IM No. 2000-140 dated June 22, 2000 directs the states to "In consultation with the state wildlife agency, the U.S. Fish and Wildlife Service (FWS), and any other agency with black-tailed prairie dog management responsibilities, evaluate the need to close or restrict sport hunting of black-tailed prairie dogs on BLM managed lands. Take action if there is mutual agreement this is necessary to ensure conservation of the species."

There are 539 acres of black-tailed prairie dog towns in the Ashland District of the Custer National Forest. No mountain plovers are known to occur on these areas (D. Soffe, pers. comm. 2000). The Forest Service is a participant on this state-wide group. There are 3,700 acres of prairie dog towns in the Dakota Prairie Grasslands of North Dakota and South Dakota, and there are no restrictions on vehicles or shooting at this time; however, mountain plovers are not known to occur in either state.

## WATER

**L1 Comment:** I am concerned about excessive user-created trails and roads in riparian areas and stream crossings. User-created camps are an excellent traditional use of public lands but they can become eyesores and quite detrimental to the riparian environment if overused and hence some type of monitoring or closure authority may need to be established.

**Response:** Over use of specific user-created camps in riparian areas is an issue that would need to be addressed at the local FS or BLM office. Under the 'Purpose and Need,' the DEIS (page 3) states, "Site-specific travel planning, or activity planning, will address OHV use on specific roads and trails." The DEIS (page 6) also states that "Existing authorities under the Code of Federal Regulations will continue to be used in site-specific cases where conditions warrant closure of areas or trails that are not meeting the intent of EO's 11644 and 11989."

**L2 Comment:** I am especially concerned that increased siltation of the headwater streams will compromise populations of westslope cutthroat trout, bull trout, and grayling. I did not note anything in the DEIS indicating how sensitive areas would be protected.

**Response:** The Preferred Alternative precludes motorized wheeled cross-country travel. Therefore, in sensitive areas, the agencies are increasing the protection of these fish species. Management and protection of sensitive areas for aquatic or terrestrial species is an issue that would be addressed at the local FS or BLM office. Under 'Purpose and Need' the DEIS (page 3) states, "Site-specific travel planning, or activity planning, will address OHV use on specific roads and trails." The DEIS (page 6) also states, "Existing authorities under the Code of Federal Regulations will continue to be used in site-specific cases where conditions warrant closure of areas or trails that are not meeting the intent of Executive Orders 11644 and 11989."

**L3 Comment:** Regarding statements on page 67 of the DEIS; how does road use compare to trail use with respect to instream sediment delivery, and specifically what is the relationship between increases in vehicle traffic and increases in sediment delivery (i.e. does a 100% increase in vehicle traffic equate to a 100% increase in sediment delivery)?

**Response:** A comparison of instream sediment delivery from roads and trails was not performed because the purpose of the EIS is to address cross-country travel, not road and trail use. Sediment from user-created trails is one of the issues being addressed in a preventative manner by the Preferred Alternative. Roads have many design features to minimize sediment delivery to water ways (i.e. bridges, inside ditches, relief culverts, slash filter windrows, etc.) not the least of which is a deliberate location that is often intended to minimize effects to water ways. User-created trails in the analysis area do not have a deliberate location or any design features to minimize negative effects to water ways. Some roads also receive some level of maintenance and user-created trails do not.

As stated in the DEIS (page 67), little research has been performed to quantify sediment delivery increases to water ways associated with user-created OHV stream fords and streamside use, although Brown (1994) does present specific data that sediment delivery to streams from OHV travel at user-created fords does increase with increased OHV traffic. Brown (1994) states, "Results indicate that the amount of sediment displaced from the aprons of material accumulated at a ford is proportional to the number of river crossings

performed.” Brown (1994) also states, “This study demonstrates that recreational vehicles are responsible, either directly or indirectly for the addition of significant amounts of sediment to the Crooked and Wongungarra Rivers.” Other references in the DEIS present more qualitative data that are congruent with Brown (1994). Brown (1994) is referenced in the DEIS on page 67.

**L4** **Comment:** In the aquatics discussion of alternatives you have so little impact to deal with that you make assumptions and guesses. Why not just say this is not a problem as this DEIS has substantiated by the time you reach the end of the section. Under these circumstances, it is difficult to understand why the recommendation of the EIS is to adopt alternative 2, which places substantial restrictions on OHV use.

**Response:** All known effects to aquatic resources of cross-country OHV use in the analysis area are presented in the DEIS (pages 67-76). Because OHV use is not evenly distributed across NFS and BLM lands in the analysis area, the effects associated with this use are concentrated in frequently used areas (DEIS, Effects Common to All Alternatives, page 73). Identified areas and the associated effects are described in the DEIS (pages 67-73).

See Response A9 and Chapter 2, Selection of the Preferred Alternative of the FEIS for the rationale of the Preferred Alternative.

**L5** **Comment:** User-created OHV routes are most often destructive to soil and water because of their vertical nature on steep hillslopes. In addition, agencies must address the impacts of OHV's related to Inland Native Fish Strategy (INFISH) in those watersheds containing westslope cutthroat trout or bull trout.

**Response:** Vertical ruts left by OHV's on steep hillsides have been observed by the agencies throughout the analysis area, although these features appear to have little effect on riparian processes or aquatic resources. The impacts associated with OHV use were evaluated on all watersheds across the analysis area, including watersheds covered by the INFISH guidelines (USDA, 1995).

**L6** **Comment:** Wet meadows, because they are less forested, receive much OHV use. OHV traffic often breaks down stream banks, thus widening

streams and increasing streambank erosion. This results in meadows laced with OHV trails that can alter the function of the meadow and detract from the beauty of these special spots.

**Response:** Similar observations were presented in the 1995 General Accounting Office Report (Information on the Use and Impact of Off-Highway Vehicles) (DEIS, page 68) and by resource specialists in the Upper Missouri River basin (DEIS, page 69). Addressing these types of impacts are part of the purpose and need for this EIS and plan amendment.

**L7** **Comment:** The increased erosion caused by improper OHV use often leads to the decreased quality of nearby streams. The increased sedimentation caused by OHV induced erosion destroys spawning redds, and it leads to reduced oxygen levels and increased water temperatures in streams.

**Response:** Similar observations were presented in the 1995 General Accounting Office Report (Information on the Use and Impact of Off-Highway Vehicles) (DEIS, page 68) and by resource specialists in the Upper Missouri River basin (DEIS, page 69) regarding localized stream bank erosion and degradation of aquatic habitats. Aquatic resource specialists did not identify cross-country OHV use as a cause of increased water temperatures and reduced oxygen levels.

## SOILS

**M1** **Comment:** If you are saying ohv's are causing erosion then you need to look at what horses do to the trails, which is a lot worse than the ATV's and motorcycles.

**Response:** This plan amendment addresses motorized wheeled vehicles and a change in area designations from open seasonally or yearlong to limited/restricted yearlong. The designation of areas as open, limited/restricted, or closed is accomplished through the forest plan and resource management planning process. This FEIS addresses the environmental consequences of this change in area designations. The issues involving other uses on roads and trails (hiking, horseback riding, mountain biking), along with motorized use, would be addressed at the local site-specific planning level, but are beyond the scope and intent of this FEIS.

**M2** **Comment:** In some areas very little accelerated erosion occurs across clubmoss-Bluegrama range or midgrass range in gently sloping lands.

**Response:** With an increase in OHV use, the BLM and FS have observed in some areas, the spread of noxious weeds, soil erosion, damage to cultural sites, user conflicts and disruption of wildlife and wildlife habitat. Over the years, random use in open areas has created trail networks throughout the analysis area. Some of this use has occurred in riparian areas and on highly erodible slopes. The BLM and FS realize that impacts from motorized wheeled cross-country travel may be considerably different across Montana, North Dakota, and South Dakota. Problems do not occur equally throughout the analysis area are generally less where topography and vegetation physically limit off-road travel or where travel planning has restricted use.

**M3** **Comment:** Table S.2 in the DEIS notes under No Action that Aquatic Resources, Soils, and Air could be, or may have potential to be, degraded. What level of degradation are you referring to? Without quantifying the amount and level of degradation how can you suggest that anything at all needs to be done?

**Response:** Table S.2 is a brief summary of the effects discussed in Chapter 3 of the DEIS. The table for the FEIS has been revised to better reflect the discussion in Chapter 3. The level of impact to various resources in the analysis area is highly variable and dependent upon numerous factors that cannot be easily quantified at this level. Any increase in motorized wheeled cross-country travel, especially in a concentrated manner, has the potential to damage sensitive upland and riparian soils. This can result in habitat alterations and siltation. An increase in motorized wheeled cross-country travel also has the greatest potential to influence and degrade air quality in the immediate area through motor emissions and fugitive dust. For more information see Chapter 2, Selection of the Preferred Alternative in the FEIS.

**M4** **Comment:** Nowhere in the EIS is there any discussion of the impacts of current or projected future usage upon soils. It is unclear why the EIS recommends adoption of Alternative 2 given that no specific impacts to soils are identified, documented, or supported by any empirical evidence or studies anywhere in the EIS.

**Response:** Impacts to soils are discussed in Chapter 3 of the DEIS on pages 76 and 77. Due to the broad scope of this FEIS soils are not described in detail. The Preferred Alternative was selected on the basis of meeting the purpose and need along with impacts to all resources and uses. For further information see Chapter 2, Selection of the Preferred Alternative of the FEIS.

**M5** **Comment:** On page 77 of the DEIS you state that “overall there would be no significant loss of soil due to the very small amount of landscape impacted by OHV’s.” How did you determine that only a small amount of the landscape is impacted by OHV’s. The FEIS should include a description of your methodology and reasoning.

**Response:** This FEIS addresses a change in area designation from open seasonally or yearlong to limited/restricted yearlong and the effects of that change. This is a programmatic document with a level of specificity and analysis that is broad in nature covering three states and two agencies. The level of detail in Chapter 3, Affected Environment and Environmental Consequences, includes information necessary to support and clarify the impact analysis.

As discussed on page 77 of the DEIS, “In the long term, while small areas of concentrated use would have significant impacts, overall there would be no significant loss of soil due to the very small amount of landscape impact by OHV’s.” It is estimated that the impacts to the soil resource would be less than 1% of the watershed or land resource area. This is based on the estimated amount of motorized travel that occurs cross-country and the size of the analysis area, approximately 16 million acres.

It is unknown exactly how many people drive motorized wheeled vehicles cross-country. This does not refer to those people who pull off adjacent to an existing road or trail to park or let someone pass, but those who actually travel cross-country. Estimates vary up to 10%, depending on location, that people engaged in motorized activities travel cross-country (see Recreation section, FEIS). Recreation specialists and law enforcement personnel estimate, when one looks at the three-state area from open grasslands in the east to the heavily forested areas of the west and take into account the variations in seasonal use, cross-country travel by motorized wheeled vehicles probably averages 1% or less of the total motorized use.

Most use occurs on roads and trails. This is a small percentage of the total recreation OHV use, but motorized wheeled cross-country travel does cause problems.

## AIR QUALITY

**N1** **Comment:** What are the current levels of the various contaminants contributing to “bad” air quality within the EIS area?

**Response:** Due to the broad scope of this FEIS, air quality contaminants are not described in detail. Air quality in the analysis area is excellent and, generally, ambient pollutant levels are well below measurable limits except at or near populated areas. There would be no significant degradation of air quality from any of the alternatives. A general assessment of air quality is provided in Chapter 3, page 78, of the DEIS.

**N2** **Comment:** The EIS does not state any identified or quantifiable impacts to air quality associated with any of the alternatives. There is no justification given for the selection of the proposed alternative.

**Response:** A general assessment of air quality impacts is discussed in Chapter 3 of the FEIS. The Preferred Alternative was selected on the basis of meeting the purpose and need along with impacts to all resources, uses and needs. For further information on selection of the Preferred Alternative, see Chapter 2 of the FEIS.

**N3** **Comment:** The DEIS should address impacts to air quality from increased OHV travel on gravel roads and unimproved trails as a result of restrictions on cross-country travel.

**Response:** OHV impacts to air quality would vary by area, time of year, and amount of use. Increases in contaminants, such as “fugitive dust and carbon monoxide,” regardless of traffic volume would have the greatest influence at or near the area of origin. Most impacts would be in areas having graveled or nongraveled county or public land access roads. A general assessment of air quality is provided in Chapter 3, page 78, of the DEIS. Specific data on amounts and effects would need to separate background levels from levels due to increased OHV use and could only be addressed during site-specific planning. An estimated 1% of OHV users travel cross-country (see Chapter 3, Recreation section of the FEIS). Impacts to air

quality associated with that 1% would most likely be negligible.

## GEOLOGY

**O1** **Comment:** Our most productive claim lays 2000 feet above and a few hundred yards from a camping area. At least half of our members would not be able to bring themselves and/or their equipment to these diggings without the use of ATV’s. At our outings there are usually a dozen or so machines which are used to shuttle people and equipment back and forth. This use is permitted in our Plan of Operations. We are traveling on an old logging road. Site-specific mitigation is in effect. Although our OHV use may not be immediately or directly prohibited by this proposal, we are concerned that it may somehow predispose forest managers to limit our OHV use in the next Plan of Operations. Furthermore, many of our members use their ATV’s to prospect other areas on the public lands that they cannot get to otherwise.

**Response:** As described, development of this claim as permitted in the Plan of Operations, including access along the logging road, is consistent with this FEIS. None of the action alternatives affect the use of existing roads and trails.

Members could still prospect by OHV as long as they refrain from driving vehicles cross-country. Cross-country travel by motorized wheeled vehicles on lands designated limited/restricted would only be allowed after receiving permission/approval from the authorized officer unless permitted in a Plan of Operations or some other authorization.

## IMPLEMENTATION

**P1** **Comment:** I can tell you that there is not a single person at the local Ranger Station that could locate even half of the trails that have been historically used in my area. Who will do the inventory? Who will pay for it? Why should we designate every trail on a map when only a few locals use it a few times a year and the FS and BLM doesn’t even know it exists or where to find it?

**Response:** Describing the existing trail system is a fundamental starting point during site-specific planning. This does not mean that every trail that has ever been used would be inventoried or become part of a permanent transportation network. Through site-specific planning, roads and trails



would be inventoried, mapped, analyzed and designated as open, seasonally open or closed based on forest and resource management plans, desired future conditions and management objectives. The inventory would be commensurate with the analysis needs, issues, desired resource conditions and resource management objectives for the area. The intent is to identify the routes that are important to various user groups and to provide balanced opportunities to each user group while protecting the environment. Inventory and mapping would be accomplished by a combination of remote sensing and field survey techniques and may include both government employees and volunteers. The costs of inventorying the trail system, if not donated by volunteers, would be paid from appropriated operating budgets.

**P2** **Comment:** I believe there is a compelling need to continue off-highway vehicle use, winter use and associated impact studies. These studies should be directed at a detailed analysis of direct, indirect and cumulative impacts to allow adaptive management strategies. Monitoring activities are proposed in the DEIS to occur on two sites, once a year, across a three-state area. I would like to see a specific schedule as it relates to these monitoring trips.

**Response:** Common to all alternatives is monitoring for environmental impacts. Monitoring of impacts provides the base information to allow for adaptive management. Monitoring would occur for both this programmatic EIS and at the site-specific planning level. See to Appendix B of the FEIS for a more detailed discussion of monitoring.

**P3** **Comment:** We are concerned with the timing of the site-specific planning. The DEIS says that planning for High Priority Areas will be initiated “within two years of the decision.” Does “decision” here mean “record of decision” or adoption of the list or something else? We are also concerned then that site-specific analysis of user-built trails/roads is left to another different NEPA analysis with no specific requirement for the initiation of travel planning. We understand that the DEIS-proposed interim policy is in effect until development of local site-specific planning, which could take 10-15 years and that is too long. We also know the situation often arises in federal land management policy that funding or labor constraints dictate that the interim policy remain in effect for an extended period of time and this

concerns us. There should be something in the EIS that provides an incentive for the FS and BLM to actively pursue the appropriate steps to develop meaningful travel management plans at the site-specific level.

**Response:** The commitment is to initiate planning on high priority areas within two years from the time that the Record of Decision is signed. This does not mean that the agencies intend to wait two years before starting site-specific planning. Field offices for both the FS and BLM have ongoing travel planning projects that are expected to be completed within the next 2 years.

After the FEIS is complete, the FS and BLM would continue to develop travel plans for geographical areas at the local, site-specific level with public involvement. All areas affected by the FEIS would be prioritized based on several factors as discussed in Appendix B of the FEIS. Site-specific planning on 16 million acres is not feasible within a 24-month time period. As with any management plan, funding levels, which are beyond the control of agencies at this level, may affect the timing and implementation of management actions and project proposals, but will not affect the decisions made in this plan amendment.

**P4** **Comment:** We are concerned that the document states that within six months of completion of the Record of Decision, each field unit will complete a prioritized list of areas for travel planning in close coordination with the public and other partners such as the Resource Advisory Councils. This statement is written without specifying the partners. This statement needs to include permittees, county commissioners, land use planning boards where applicable, grazing districts where applicable, and the rest of the public.

**Response:** This prioritization process at the local, site-specific level is intended to be collaborative with interested publics, tribes, government agencies and other affected parties. The FS and BLM will make every effort to involve all who express an interest. The Forest Supervisors or Grasslands Supervisor would set the area priorities on NFS lands and the Field Managers would set the area priorities for BLM lands. They would decide jointly for areas of intermingled BLM and FS ownership. These priorities would then be submitted to the Regional Forester and State Director within six months of completion of the Record of Decision.

**P5** **Comment:** We are concerned with the theoretical future inventory of motorized routes. The implication is that many of these routes will be closed in the future and the analysis of impacts completed. In this the EIS fails: you cannot hinge your analysis on some future action that may or may not be funded or prioritized in the future. To carry out this inventory would require significant time, effort and funding by both agencies. I frankly question whether the inventory and anticipated closures, analysis and public involvement will ever occur, or will occur in a timely fashion.

**Response:** The analysis and disclosure of effects on the environment in this FEIS stand on their own without relying on the analysis and inventory associated with site-specific planning. Discussion of site-specific planning at the local level is intended to be informational, but is not part of this programmatic analysis or decision. See Appendix B for implementation and guidance for site-specific planning. Site-specific planning decisions have been completed in recent years and several others are ongoing with completion anticipated within the next year or two.

**P6** **Comment:** We have paid staffs of professionals millions of dollars each year for decades to monitor, manage, maintain our public land, and according to this DEIS they have done nothing to identify and implement mitigation measures to stop resource damage or other problems they are authorized and required by law to do. Why have they not addressed the problems caused by OHV's?

**Response:** Local managers are managing and mitigating problem areas resulting from cross-country OHV use, as evidenced by emergency closures in place and ongoing site-specific planning. It is the responsibility of the land management agencies to monitor the effects of OHV use off roads and trails. Through this monitoring of OHV travel at FS and BLM offices, problems were identified to exist where unrestricted motorized wheeled cross-country travel is allowed. However, problems do not occur equally throughout the analysis area. When a specific road, trail or area has considerable adverse environmental effects occurring, the local manager does have the responsibility and authority (36 CFR 261.10 and 43 CFR 8341.2) to immediately close it to use until the problem has been resolved. The purpose of this FEIS is to avoid future impacts from OHV use on areas that are currently available to motorized wheeled cross-country travel. This would pro-

vide direction that would minimize further resource damage, user conflicts, and related problems associated with motorized wheeled cross-country travel, including new user-created roads, until subsequent site-specific planning is completed.

**P7** **Comment:** I noticed that there is no mention made of the pervasive problem of inadequate funding and personnel, which keeps both the BLM and FS from doing a better job of managing the resources in their care. This needs to be mentioned in the FEIS so the public is aware of the disparity between agency funding and ability on the one hand and the increasing pressures being put on public lands by OHV operators.

**Response:** Funds used for managing both the BLM and NFS lands come through an appropriated budget approved by the U.S. Congress. As with any management plan, funding levels, which are beyond the control of these agencies at this level, may affect the timing and implementation of management actions and project proposals, but will not affect the decisions made in the plan amendment. Agencies strive to use discretion in how they allocate these limited funds in managing the resources.

**P8** **Comment:** It is our belief that your efforts would be better spent by trying to enforce existing management plans in critical areas and perhaps expanding the avenues of public awareness concerning responsible land use for recreational purposes. We feel that existing travel management restrictions are adequate and the BLM and FS just need to do a better job with enforcement.

**Response:** The motorized wheeled cross-country travel affected by the Preferred Alternative in the FEIS is in areas that are currently open seasonally or yearlong. Much of the growing OHV use that is of concern is currently legal in these designated open areas. By implementing the Preferred Alternative, the agencies would be proactive in avoiding future negative impacts from the rapidly increasing use of OHV's in these areas. The agencies are continually emphasizing and implementing educational programs, as well as enforcing the regulations. The agencies believe that education is just as important and effective as enforcement in certain circumstances.

**P9** **Comment:** To us, the important subjects are simplicity, maps, signage and adequate enforce-

ment. Plans need to be simple enough to follow, information needs to be available so people know the rules, and people need to know that, if they disobey the law, there's a good chance a private citizen will turn them in or an officer will nail them. We understand that limited resources make enforcement a difficult aspect of OHV regulation; however, enforcement is crucial to the success of the proposed management plan.

**Response:** The FS and BLM understand and acknowledge the necessity and importance of signing, mapping, adequate enforcement and education. Each of these elements is an avenue for the agencies to clearly communicate to users where motorized wheeled OHV travel is acceptable. Public information programs are also very important to communicate recreational opportunities and to develop good resource ethics in all users of our public lands. Until site-specific planning occurs, emphasis would be on enforcement along with education. Appendix B in the FEIS contains more details on implementation and guidance for site-specific planning.

**P10 Comment:** Education is an absolute necessity no matter which alternative is chosen. In the list of management concerns and the environmental issues, we do not find any reference to education and land ethics. A program that would be positive and target education and land ethics would be far more productive and provide many more benefits to the land than the current direction of limiting use. The sooner we begin to help people understand why they need to stay on trails and this becomes their desire, the sooner the land will benefit. Information pamphlets, posters, videos, advertising, signing and educational programs can go a long way and have an immediate impact in protecting our open spaces and avoiding user conflicts.

**Response:** Public information and education programs are widely supported by the agencies and the public. The agencies believe that education and information are just as important and effective as enforcement. The BLM and FS are currently working with several other agencies and user groups to develop methods to promote safety, develop good land ethics, create an understanding for resource protection, and demonstrate respect for other users. Refer to Appendix B of the FEIS for more discussion on education and information programs.

**P11 Comment:** I believe that a large portion of cross-country travel occurs because the trails cannot be easily seen and no markers are available to guide us to where it is again visible. All routes must be clearly marked!

**Response:** The long-term goal for the FS and BLM is for motorized wheeled OHV travel to occur on designated roads and trails and in localized intensive use areas. However, designation of specific roads and trails and intensive use areas requires local, site-specific analysis and public involvement. The purpose of this FEIS is to avoid future negative impacts on areas that are currently available to motorized wheeled cross-country travel until subsequent site-specific planning is complete. Efforts will be made to clearly mark these designated routes as they are analyzed and identified during local site-specific planning.

**P12 Comment:** We feel the EIS must address the difficulty of effective enforcement under various alternatives. It's one thing to say that OHV's must stay on established roads and trails. It's another thing to enforce it. I believe it is of little use to make regulations that can't be enforced, no matter the good intentions. The few protections offered are unenforceable. The DEIS says it is "inappropriate" (not illegal) to drive OHV's on "single track" trails. No alternative prohibits OHV's from transforming trails through vegetation damage into OHV roads.

**Response:** The BLM and FS believe that enforcing cross-country travel restrictions outlined in this FEIS may be somewhat difficult but not impossible. No law enforcement program can ever be 100% effective in eliminating violations. Success of an enforcement program relies on a combination of efforts, such as public compliance and respect for the land, the quantity of law enforcement officials in the field, and public reports of violations. There will be a strong emphasis on education and information along with the enforcement program, especially during the interim until site-specific planning is complete. The agencies believe that the majority of OHV users want to protect the environment and obey the regulations. The agencies have received many offers from user groups to self-police their members and assist in training programs.

The definition for motorized wheeled cross-country travel and the photo captions have been revised in the FEIS. For more information, see Chapter 2,

Definition of Motorized Wheeled Cross-Country Travel and Appendix B of the FEIS for implementation and guidance for site-specific planning.

**P13** **Comment:** I found that a problem with the forest map is that it has areas that have road closures, but do not show the area closed! This causes an increase in resource damage, as the OHV users have found they can be “legal” by riding off the road.

**Response:** The situation in some areas where motorized vehicles are prohibited from using the roads, but are not prohibited from traveling cross-country, was apparently an oversight during the site-specific planning for that particular area. The proposal of this FEIS to limit/restrict OHV’s from traveling cross-country on lands currently open seasonally or yearlong to motorized wheeled cross-country travel would solve these situations.

**P14** **Comment:** Several of us are concerned about the need to address the management of roads and trails, the details and procedures for completing road and trail inventories, the proposals for designation of roads and trails, suggestions for enforcement or the procedures to be used at the site-specific planning level, the next step.

**Response:** Guidance for travel management at the site-specific level is addressed in Appendix B of the FEIS. Site-specific planning is beyond the scope of this FEIS, the purpose of which is to avoid future impacts from motorized wheeled cross-country travel on areas that are currently open seasonally or yearlong. This FEIS is intended to provide direction for subsequent site-specific planning. Site-specific planning would address OHV use on individual roads and trails. Many of the public’s suggestions and comments would be considered at the local, site-specific planning level, and the agencies encourage the interested public to be involved during this level of planning.

## LIST OF PREPARERS

The following are members of the Core Team:

<i>Name</i>	<i>Agency</i>	<i>Position</i>	<i>Years of Experience</i>
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Ron Roginske	FS	Recreation	38
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Jody Weil	BLM	Public Affairs	10
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Halcyon LaPoint	FS	Cultural Resources	18
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<i>Name</i>	<i>Agency</i>	<i>Area</i>
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Bill Kirchhoff	FS	GIS Mapping
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Marc Whisler	BLM	Threatened & Endangered Species

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Montana Dept. of Environmental Quality  
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Montana Dept. of Natural Resources and Conservation  
Montana Environmental Quality Council  
Montana Fish, Wildlife & Parks  
Montana State Historic Pres. Office  
North Dakota Game and Fish Dept.  
North Dakota State Lands Dept.  
South Dakota Dept. of Agriculture  
South Dakota Dept. of Game, Fish & Parks  
South Dakota Dept. of School & Public Lands

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USDA Wildlife Services  
USDI Bureau of Indian Affairs  
USDI Bureau of Reclamation  
USDI Fish and Wildlife Service  
USDI National Park Service  
USDI Office of Environmental Affairs

### **Tribal Committees, Councils, and Departments**

Assiniboine Sioux Tribal Council  
Assiniboine Treaty Committee  
Blackfeet Cultural Program  
Blackfeet Fish & Game  
Blackfeet Legal Department  
Blackfeet Tribal Business Council  
Blood Tribe Chief & Council  
Chippewa Cree Business Committee  
Chippewa Cree Cultural Committee  
Colville Confederated Tribes  
Confederated Salish/Kootenai Tribes  
Crow Tribal Council  
Devils Lake Sioux Tribal Council  
Eastern Shoshone Cultural Representative  
Eastern Shoshone Representative  
Fort Belknap Community Council  
Fort Belknap Indian Community  
Fort Peck Tribal Council  
Fort Peck Tribal Water Office  
Fort Peck Tribes  
Gros Ventre Treaty Committee  
Hunkpapa Sioux  
Kootenai Tribe of Idaho  
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Rocky Boy Chippewa Cree Tribe  
Rocky Boy Indian Reservation

Rosebud Sioux Tribe  
 Shoshone/Bannock Tribes  
 Standing Rock Sioux Tribe  
 Three Affiliated Tribes  
 Turtle Mountain Band of Chippewa  
 Wind River Agency  
 Wind River Shoshone Business Council

### **Organizations, Businesses and Others**

320 Ranch  
 5S Outfitting  
 63 Ranch  
 Access Montana Outdoors Inc.  
 Action Travel  
 Adams Wood Products  
 Advantage Resources Inc.  
 Adventure Skills Guide Service  
 Agri-News  
 Alliance for The Wild Rockies  
 Allied Mfg. Corp.  
 Alpine Yamaha  
 Alpine Log Homes  
 Al's Cycle  
 American Bar Landowners  
 American Fisheries Society  
 American Forest and Paper Assn.  
 American Lands Access Assn. Inc.  
 American Motorcyclist Assn.  
 American Wildlands  
 Anaconda Snowmobile Club  
 Anaconda Sportsmen's Club  
 Asarco Inc. - Troy Unit  
 Associated Press  
 AT&T  
 ATV Safety of Butte  
 Audio Engineering Service  
 Audubon Society  
 Audubon Yellowstone  
 Augusta Livestock Associaton  
 B.L. Langguth  
 B.W. Outfitters  
 Back Country Adv. Snowmobiles  
 Back Country Horsemen  
 Back Country Horsemen-Bitterroot  
 Back Country Horsemen-Mission Valley  
 Back Country Horsemen-Missoula  
 Bar 69 Ranch  
 Barrett Ranch, Inc.  
 Barthelmess Ranch Inc  
 Bear Paw Energy Inc.  
 Beartooth Hereford Ranch  
 Beaverhead County Planning Board  
 Beaverhead County Resource Use Committee  
 Beaverhead Sno-Riders

Benbow ATV Rentals  
 Bennett Homes, Realty & Investments  
 Bessette Ranch Company  
 Big Hole Snowmobile Club  
 Big Sandy NRCS Office  
 Big Sky Coal Co.  
 Big Sky Cyclery  
 Big Sky Guide & Outftrs Inc.  
 Big Sky County Trail Preservation  
 Big Sky Trailriders  
 Big Sky Upland Bird Assn.  
 Billings Gazette  
 Billings Land Use Committee  
 Billings Motorcycle Club  
 Billings Rod & Gun Club  
 Biodiversity Legal Foundation  
 Bismarck Public Library  
 Bitterroot Audubon  
 Bitterroot Chamber of Commerce  
 Bitterroot Grizzly Motorcycle Alliance  
 Bitterroot Outfitters  
 Bitterroot Rough Riders OHV Club  
 Black Butte Ranch  
 Black Hills 4-Wheelers  
 Black Hills Off Roaders  
 Black Hills Regional Multiple Use Coalition  
 Black Hills Snowmobile Council  
 Black Mountain Outfitters  
 Black Ranch, Inc.  
 Blackfoot Valley Dispatch  
 Blue Ribbon Coalition Inc.  
 Blue Ribbon Environmental Products, Inc.  
 Blue Ribbon Flies  
 Boulder Outfitter & Guide Assn.  
 Bowman Co. Pioneer  
 Bozeman Chronicle  
 Brainerd Foundation  
 Bridger Canyon Property Owners  
 Bridger Outfitters  
 Brilliant Signs & Grafix  
 Broadwater County Weed Board  
 Broken Hart Ranch  
 Bronken's  
 Brown's Pottery and Gifts  
 Buggy Creek State Coop. Grazing Dist.  
 C & B Grazing District  
 Cable Mountain Mine Inc.  
 Cameron Ranch  
 Camp Cedar Design  
 Camp Kooch-I-Ching  
 Can-Am Search & Rescue  
 Canavan Logging  
 Canyon Wedding Chapel  
 Capital Trail Bike Riders  
 Carbon County News



Cargill Outfitting	Davis Ranches, Inc.
Carter County Predator Board	Deer Lodge Forest Defense Fund
Carter County Sheep & Cattle Growers	Deer Lodge Snowmobile Club
Carter County Sheriff	Defenders of Wildlife
Cascade County 4-Wheelers	Dell Bacon Ranch Co.
Cascade County Air Quality	Desert Coulee Ranches
Cascade County Weed Supervisor	Diamond Hitch Outfitters
Castle Mt. Livetock Assn.	Dick Irvin, Inc.
Causeway Energy Corp	Dog Creek Campground
Ceda-Pine Veneer, Inc.	Double D Ranch
Cenex Harvest States	Double Eagle Ranch
Center for The Rocky Mtn West	Double H Ranch, Inc.
Central Montana Resource Advisory Council	Double J Farms
Central Montana RC & D	Doug's Tire & Auto
Central Montana Trail Users	Douglas College
Central Montana Wildland Assn.	Durnell's Custom Woodcraft
Chain of Lakes Homeowners Assn.	E K Lehmann and Associates of Montana, Inc
Chamber of Commerce and Agriculture	Earth Justice Legal Defense Fund
Charlie Russell Backcountry Horsemen	East Pioneer Experimental Stewardship Program
Checkerboard Cattle Company	East Rosebud Lake Assn.
Cherry Creek Angus Ranch	Eastern Montana Resource Advisory Council
Choteau Acantha	Eastern Sanders County Sportsman Grp.
Circle 8 Ranch	Ecology Center
Citizens for a Vehicle Free Nipomo Dunes	Economic Development Council
Citizens for a Weed Free Future	El Rancho Loco
City of Dillon	Elenburg Exploration Inc.
City of Troy	Elk Run Ranch
Clark Fork Ranch	Elkhorn Citizen Organization
Coal Age - Intertec Publishing	Empire Resources
Coal Creek CSGD	Endangered Species
Coalition for Canyon Preservation	Engle Ranch, Inc.
Cody Country Outfitters	EOTT Energy Corporation
Cold Mountain, Cold Rivers	Evers Ranch
Coldwell & Sons	Express Pipeline Partnership
Colorado Grizzley Project	F. H. Stoltze Land & Lumber Co.
Colorado State University	Farm Service Agency
Committee Access Public Lands/Handicapped	Faunawest Wildlife Consultants
Committee for Responsible Recreation	Fence Creek Ranch
Communities for a Great Northwest	Fergus County Extension Service
Concerned Friends of the Winema	Figgins Sand and Gravel, Inc.
Confluence Timber Company	First Creek Ranch
Constellation Services	Five Valleys 4 Wheelers
Continental Divide Trail Alliance	Five Valleys Audubon Society
Continental Divide Trail Society	Fix Ranch
Conway Electric	Flathead Snowmobile Assn.
Cooke City Store	Flathead Wildlife, Inc.
Cornell University	Flying J Oil & Gas, Inc.
Cornwell Ranch	Fogland Ranch Co.
Cowan Ranch	Forest Guardians
Crazy Mountain Outfitters & Guide	Forestry Library, Univ. of Minn.
Cronk Ranch Inc	Fort Benton Chamber of Commerce
Cut Bank Snowgoers	Forty Bar Ranch
Dakota Territory Cruisers	Fossum Ready Mix
Dakotas Resource Advisory Council	Friends of The Bitterroot
Daniels & Associates Inc.	Friends of The West

Friends of The Wild Swan  
 Frontier 4x4 Club  
 Frontier Resort  
 Gallatin County Planning Dept  
 Gallatin Valley Snowmobile Assn.  
 Gallatin Wildlife Assn.  
 Garrison Sportsman Club  
 Geary Brothers  
 Geological Resource Consulting  
 Glacier Two Medicine Alliance  
 Glasgow Courier  
 Glasgow Distributors Inc  
 Glasgow Irrigation District  
 Glendive Ranger Review  
 Golden Bear Outfitters  
 Golden Valley Sheriff's Office  
 Goldeneye Nature Tours  
 Granite County Extension  
 Granite State Four Wheelers  
 Grantier Livestock Inc.  
 Great Bear Foundation  
 Great Burn Study Group  
 Great Falls Snowmobile Club  
 Great Falls Trail Bike Riders Assn.  
 Great Falls Tribune  
 Great Northern Properties  
 Great Plains Resources Inc.  
 Greater Yellowstone Coalition  
 Grizzly Country  
 Grizzly Outfitters  
 H.F. Hardy Decorating  
 Hagenbarth Livestock  
 Haglund and Kirtley  
 Happy Saddle Tramps  
 Harding County Extension Agent  
 Harding County Farm Service Agency  
 Hargrave Cattle & Guest Ranch  
 Havre Answering Service  
 Hawk I'm Your Sister  
 Hawkins Outfitters  
 Hawley Mountain Guest Ranch  
 Headwater RC&D Area, Inc.  
 Hearing Instruments Specialists  
 Heart of the West Ranch  
 Helena Chamber of Commerce  
 Helena Forest Conservation Coalition  
 Helena Outdoor Club  
 Hell Creek Guest Ranch  
 Hellgate River Ranch  
 Hidden Valley Ranch Outfitters  
 High Country Adventures  
 High Country Discovery  
 High Plains News Service  
 High Plains Drifter  
 Highland Rose Contracting & Supply, LLC

Holland Ranch  
 Holt & Baker Ranches  
 Homestake Oil & Gas  
 Homestead Valley Trust  
 Hoot Owl Farm  
 Horse Creek Grazing Assn.  
 Horse Prairie Ranch Kwd Assn., L.C.  
 Hughes and Sons Cattle Co.  
 Hunt Oil Co.  
 Hunts Timber  
 Idaho County  
 Idaho Division of Environmental Quality  
 IEPLC Forest Watch  
 Indian Creek Ranch  
 Island Park News  
 IX Ranch Co.  
 J & J Guide Service  
 J & L 4-Wheel Drive Center, Inc.  
 Jack Atcheson Guide Service  
 Jackpine Savages  
 Jackson Ranches  
 Jake's Horses  
 Jarrett Brothers  
 Jawbone Cattle Co. Inc.  
 Jefferson County Weed District  
 Jenni Ranch  
 Johns Ranch, Inc.  
 Johnson Family Partnership  
 Johnson Ranch Inc  
 Johnson Tuning Fork Ranch  
 Kalispell Area Chamber of Commerce  
 KCS Mtn Resources Inc  
 KCTZ  
 Keith Ranch Co.  
 KEMC Radio  
 Kettle Range Conservation Group  
 KFYZ TV  
 KN Energy  
 KRTV  
 Lakeview Ranch  
 Land Planning Committee  
 Langen Ranch  
 Last Chance Audubon Society  
 Last Chance Back Country Horsemen  
 Lawyer's Nursery  
 Lazy Au Ranch Company Inc.  
 Lazy E4 Cattle Company  
 Lazy Seven-Up Ranch  
 Lehfeltdt Ranch  
 Lemhi County Commissioners  
 Lenhardt Agency  
 Lenington Farms  
 Lewis & Clark County Planning  
 Lewis & Clark Trail Heritage Foundation  
 Lewis & Clark Wildlife Club

Lewis Trust 1990  
 Lewistown News Argus  
 Liberty County Conservation District  
 Lightning Creek Outfitters  
 Lincoln County Economic Development Council  
 Lincoln Financial Advisors Corp.  
 Little Belts Snowmobile Club  
 Little Missouri Grazing Assn.  
 Lo Bar Cattle Co.  
 Louisiana Pacific Corporation  
 Loure Petrie Ranch Partnership  
 Lubrecht Forest  
 Ludlow Coop Grazing District, Inc.  
 Lutheran Bible Camp, Inc.  
 Mackay Family Trust  
 Madison County Weed Supervisor  
 Madison Fork Ranch  
 Madison Gallatin Alliance  
 Magic City 4-Wheelers  
 Magic City 4x4's  
 Malta Chamber of Commerce  
 Malta Irrigation District  
 Malta Public Schools  
 Marble Law Office  
 Marias River Land and Livestock  
 Marshall Ranch  
 Masterlinks Cycle Club  
 McColly Ranch Inc  
 McCone Electric Cooperative Inc.  
 McIntosh Ranch LLP  
 McIntyre Ranch Inc.  
 McKenzie County Grazing Assn.  
 McKenzie Electric Cooperative, Inc.  
 McLaughlin Insurance Services  
 McLaughlin Research Institute  
 Meagher County Little Belters  
 Meagher County Sportsmen Assn.  
 Meagher Weed Board  
 Mecaha Cattle Company  
 Medicine Rocks Ranch  
 Medora Grazing Assn.  
 Midwest 4 Wheel Drive Assn.  
 Mile High Backcountry Horsemen  
 Milk River Ranch, Inc.  
 Miller Mountain Corporation  
 Mineral County Environ Planning  
 Mineral County Watershed Council  
 Minnesota Early Bronco Club  
 Minnesotans for Responsible Recreation  
 Mission Valley Backcountry Horsemen  
 Missoulain  
 Mobile Tech Computers  
 Mon-Dak Outfitters  
 Montalban Oil & Gas Operations Inc.  
 Montana 4x4 Assn.

Montana Air Insurance Services  
 Montana Assn. of Counties  
 Montana Assn. of Grazing Districts  
 Montana Bowhunters Assn.  
 Montana Chamber of Commerce  
 Montana Chapter Irwa  
 Montana Chapter of The Wildlife Society  
 Montana Dakota Utilities Co.  
 Montana Ecosystems Defense Council  
 Montana Environmental Info. Center  
 Montana Farmer's Union  
 Montana House of Representatives, Patrick Galvin  
 Montana House of Representatives, Diana Wyatt  
 Montana House of Representatives, William Wiseman  
 Montana House of Representatives, Carley Tuss  
 Montana House of Representatives, Joe Tropila  
 Montana House of Representatives, Richard Simpkins  
 Montana House of Representatives, J. G. Shockley  
 Montana House of Representatives, Trudi Schmidt  
 Montana House of Representatives, William "Bill" Ryan  
 Montana House of Representatives, John "Sam" Rose  
 Montana House of Representatives, Scott Orr  
 Montana House of Representatives, Gay Ann Masolo  
 Montana House of Representatives, Chris Ahner  
 Montana House of Representatives, Paul Clark  
 Montana House of Representatives, John Cobb  
 Montana House of Representatives, David Ewer  
 Montana House of Representatives, Deb Kottel  
 Montana House of Representatives, Hal Harper  
 Montana House of Representatives, Marian Hanson  
 Montana House of Representatives, Edward "Ed" Grady  
 Montana Legislature 56th Session, Linda Stoll  
 Montana Mining Assn.  
 Montana Native Plant Society  
 Montana Nature Conservancy  
 Montana Night Riders  
 Montana Outfitters & Guides Assn.  
 Montana Parks Assn.  
 Montana Petroleum Assn.  
 Montana Pilot's Assn.  
 Montana Public Lands Council  
 Montana Rawhide  
 Montana River Action Network  
 Montana Senate, John Hertel  
 Montana Senate, Bill Wilson  
 Montana Senate, Mignon Waterman  
 Montana Senate, Kenneth "Ken" Mesaros  
 Montana Senate, Eve Franklin  
 Montana Senate, Mike Foster  
 Montana Senate, Steve Doherty  
 Montana Senate, Wm. S. Crismore  
 Montana Senate, Bf "Chris" Christianens  
 Montana Senate, Thomas "Tom" Beck  
 Montana Senate, Sue Bartlett  
 Montana Senate, Gary Aklestad

Montana Snowmobile Assn.  
 Montana State University  
 Montana Stockgrowers Assn.  
 Montana Trail Vehicle Riders Assn.  
 Montana Trails Assn.  
 Montana Trout Unlimited  
 Montana Woolgrowers Assoc  
 Montana Wilderness Assn.  
 Montana Wildlife Assn.  
 Montana Wildlife Federation  
 Montanans for Multiple Use  
 Moosecan Gully Ranch  
 Mor Gran Sious Electric  
 Mothershead Ranch, Inc.  
 Motorcycle Industry Council  
 Mountain Moods  
 Mountain Sports Inc.  
 Mountainfit  
 Multiple Use Coalition  
 Mungas Company  
 Munroe Ranch Company Inc.  
 Nardin & Nardin  
 National Audubon Society  
 National Off-Highway Vehicle Conservation Council  
 National Wildlife Federation  
 Native Forest Network  
 Native Forest Network, Yellowstone  
 Natural Bridge Ranch  
 Nature Conservancy - Dakota Chapter  
 Nature Conservancy of Montana  
 Neibauer Painting  
 Neighborhood Planing Site Design  
 Newton Aviation  
 Nine Sixty Nine Ranch  
 Nine Quarter Circle Ranch  
 Noranda Mining and Exploration  
 North American Exploration, Inc.  
 North Dakota Assn. of Counties  
 North Fork Improvement Assn.  
 North Fork Preservation Assn.  
 Northern Hills Birders  
 Northern Plains Resource Council  
 Northern Rockies Natural History  
 Northwest Environmental Defense Center  
 Northwest Montana Gold Prospectors  
 Northwestern University  
 Olsen Ranch  
 Orion The Hunters Institute  
 Outdoor Life  
 Outdoor Motor Sports  
 Outfitters  
 Park County Rod & Gun Club  
 Parkin Performance & Polaris  
 Partners Bed & Biscuit  
 Paulsen Land Corporation

Penco Power Products  
 People for the West  
 Perkins Coie, LLP  
 Permits West, Inc.  
 Phillips County Library  
 Pine Tree Livestock  
 Pintlar Audubon Society  
 Pit Stop - Pizza Pro  
 Planning & Resource Management  
 Plum Creek Lumber Co.  
 Pondera Sportmen's Club  
 Porterbuilt Post & Pole Co.  
 Powder River Outfitters  
 Powell County Planning Board  
 Powell County Progress  
 Powers Elevation Co., Inc.  
 Prairie County Grazing District  
 Predator Conservation Alliance  
 Prickly Pear Land Trust  
 Prickly Pear Sportsman Assn.  
 Private Lands/Public Wildlife Council  
 Pryor Mtn Wild Horse Assn.  
 Public Employees for Environmental Responsibility  
 Public Lands Foundation  
 Public Lands News  
 Public Land Access Assn. Inc.  
 PWOA  
 Quarter Circle D B Inc.  
 R. E. Miller & Sons  
 Rahr Malting Company  
 Ranch Resources, L.L.C.  
 Ranck Oil  
 Range Telephone Coop Inc.  
 Rapid City Journal  
 Ravalli Co. Farm Bureau  
 Reclamation Services Corp  
 Recreational Spring Resort  
 Red Butte Cattle Co.  
 Red Butte Grazing District  
 Rice Ranches, Inc.  
 Richardson Log Furniture  
 Rimrock 4x4 Club  
 Rimrock Explosives  
 Rimrock Trailriders  
 Robert Hawkins Inc.  
 Rock Creek Fishermans Mercantile  
 Rocky Mountain Log Homes  
 Rocky Mountain Recreation Initiative  
 Rolfsrud Ranch  
 Ron Mills Outfitting  
 Rosebud Audubon  
 Rostad & Rostad  
 Royal Outfitters  
 Rusher Air Conditioning  
 Russell Country Sportsmen's Assn.

SD Hereford Ranches, Inc.  
 SD Trailriders Assn.  
 SE Electric Coop  
 Seven-C Quarter Outfitters  
 Sheridan Gun Club  
 Sheyenne Valley Grazing Assoc  
 Shotgun Construction  
 Sierra Club  
 Sierra Club - Indian Peaks Group  
 Sierra Club - Montana Chapter  
 Sierra Club - Teddy Roosevelt  
 Silver Springs Ranch  
 Silver Tip Ranch  
 Silverbow Archers  
 Simpson, Thacher & Bartlett  
 Sitz Angus Farms, Inc.  
 Skyline Sportsmen's Assn.  
 Slope Count State's Attorney  
 Smiling Gulch Ranch  
 Smith 6 Bar S Livestock  
 Smith Orthodontics  
 SN Repair and Maintenance  
 Snappy Sport Senter  
 Snowmobile North Dakota  
 Society of Range Management  
 Solf Brothers  
 Soup Cr Ranch  
 South Hills Water & Sewer District  
 South Dakota Assn. of County Commissioners  
 South Dakota Public Lands Council  
 Southeastern Livestock Assoc  
 Southeastern Montana Sportsmen Assn.  
 Southern Appalachian Biodiversity Project  
 Southern Illinois University  
 Southwest Montana Wildlands Alliance  
 Spirit Lake Alliance  
 Spokesman Review Stillwater County Weed Board  
 Starshine  
 State Soil Conservation Committee  
 Stender Ranch, Inc.  
 Stephens Timber Consulting  
 Steve's Sport Center  
 Story Ranch  
 Sula Country Store  
 Summit Motor Sports  
 Summit River Corp.  
 Sunset Irrigation District  
 Swan View Coalition  
 Sweet Grass County Recreation Assn.  
 SWFWDA  
 T Diamond Livestock  
 T. Crawford Enterprises  
 Team Bozeman  
 Tebay Ranch  
 Tee Bar Ranch Company

Templin Real Estate  
 Terrett Ranch  
 Teton County Conservation District  
 Teton Livestock Assn.  
 The Catering Co.  
 The Ecology Center  
 The Malletta Family of Funeral Homes  
 The National Assn. of Counties  
 The Nature Conservancy  
 The Post-Register  
 The Real Estate Center of Sturgis  
 The Wilderness Society  
 The Wildlife Society  
 Theodore Roosevelt Memorial Ranch  
 Thompson Falls Land Alliance  
 Three Forks Chamber of Commerce  
 Three Rivers Backcountry Horsemen  
 Tierra Exploration Inc.  
 Tierra Linda Ranch  
 Tilstra Ranch  
 Timber Stone Handcrafted Log Homes  
 Timberline Oil & Gas Corp  
 Tomahawk Ranch  
 Toston Rod & Gun Club  
 Townsend Star  
 Treasure State ATV Assn.  
 Trout Unlimited  
 True Oil Company  
 Turkey Track Club  
 Turner Enterprises  
 Under Wild Skies Outfitting  
 University of Michigan  
 University of Minnesota  
 University of Montana  
 University of Utah  
 Upper Canyon Outfitters  
 Upper Clark Fork BCH  
 Upper Missouri River Group-Sierra Club  
 Upper Musselshell Sports Club  
 Upper Yaak Community Assn.  
 US West Communication Inc.  
 Utah Shared Access Alliance  
 Valey Press  
 Varmint Hunters Assn., Inc.  
 Veseth Ranch  
 Vigilante Electric  
 Vigilante Snowmobilers  
 WA Prospectors Mining Assn.  
 Wade Lake Resort  
 Walsh Ranch  
 Watford City Public Library  
 Wayne Borthers  
 Wednesday Outdoor Women  
 West Fork Citizens Committee  
 West River Ag Center

Westech  
Western Environmental Trade Assn.  
Western Forest Industries Assn.  
Western Montana Clinic  
Western Montana Cons. Assn.  
Western Montana Resource Advisory Council  
Western Montana Wildlife  
Western South Dakota Fur Harvesters  
Wheatland County Sheriff's Office  
Whitefish Pottery  
Wild Horse Organized Assistance, Inc.  
Wild Skies  
Wild Trout Outfitters  
Wild Wind Records  
Wilderness Outfitters  
Wilderness Watch  
Wildlands Center for Preventing Roads  
Wildlife Management Institute  
Williston Basin Pipeline Co.  
Wisconsin Four Wheel Drive Assn.  
Witmer Insurance Services, Inc.  
Wolverton Saddle Club  
Woodland Management  
WY Sawmills Incorporated  
Xeno Inc.  
Yates Petroleum Company  
Yellowstone Arctic /Yamaha  
Yellowstone County Weed Department  
Yellowstone Foot & Ankle Center  
Yellowstone Valley Audubon Society

The FEIS was also mailed to about 6,100 individuals.  
This list is available for review by contacting the BLM  
Lewistown Field Office (406-538-1924).